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INVENTORY OF THE  
COUNTY ARCHIVES  
... OF ILLINOIS ...

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KNOX COUNTY  
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NO 48

THE HISTORICAL RECORDS SURVEY  
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INVENTORY OF THE COUNTY ARCHIVES  
OF ILLINOIS

Prepared by

The Historical Records Survey  
Division of Women's and Professional Projects  
Works Progress Administration

No. 48. KNOX COUNTY (GALESBURG)

\* \* \* \* \*

Chicago, Illinois  
The Historical Records Survey  
September 1938

The Historical Records Survey

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## FOREWORD

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The Inventory of County Archives of Illinois is one of a number of bibliographies of historical materials prepared throughout the United States by workers on The Historical Records Survey of the Works Progress Administration. The publication herewith presented, an inventory of the archives of Knox County, is number 48 of the Illinois series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by The Historical Records Survey attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of The Historical Records Survey, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey was organized and has been directed by Luther H. Evans, and operates as a nation-wide project in the Division of Women's and Professional Projects, of which Mrs. Ellen S. Woodward, Assistant Administrator, is in charge.

HARRY L. HOPKINS  
Administrator





## PREFACE

The Historical Records Survey was initiated as a nation-wide undertaking in January 1936, as part of the Federal Writers' Project of the Works Progress Administration. In Illinois the Survey became an independent unit in August 1936, but continued to operate as a part of the nation-wide project under the technical supervision of Dr. Luther H. Evans, National Director, and under the administrative supervision of the Division of Women's and Professional Projects.

In compiling this Inventory of the Archives of Knox County, the Survey has sought to locate, describe, and classify all extant county records and to make them more easily accessible to county officials, the general public, and research workers. It is believed that this inventory will be useful in the preservation of this valuable material, and as a guide to the archives wherein may be found so much important information in the field of history, sociology, political science, and economics. While some historians have realized this for many years, the general public has never been made aware of the intrinsic worth of this material. In the official documents of Knox County is continued the story of the coming into the wilderness of settlers who created a territory and the rudiments of a simple frontier government, bought and sold land, built roads, established schools, and later founded a state.

The Historical Records Survey has proved itself of valuable assistance to local and county governments in Illinois. Records have been rearranged and made more accessible, material believed to be lost has been located, indexing projects have been fostered, and county officials have been encouraged and induced to provide new equipment for their offices and better storage space for the records.

In addition, the program of the Survey has been planned to dovetail with the long range plans of the State of Illinois for the care of its State and local archives. For example, the first step in the Illinois program, the moving of all state records into a new Archives Building, has been materially aided by the preparation of preliminary inventories by Survey workers for the various state departments. Again, the program of the State for the preservation of county records, including the making of microphotographic copies of all important historical documents, obviously presupposes inventories such as The Historical Records Survey is now making.

Since under Illinois law no records may be destroyed without specific enabling legislation, the tremendous increase in the bulk of records being produced today makes it impossible for either the State or the counties to preserve all records. Hence, there has been considerable destruction of records. The inventories being compiled by The Historical Records Survey now make possible for the first time a scientific study of the whole question of record destruction. If, as seems likely, this results in adequate



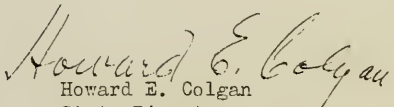
and sensible legislation permitting necessary reduction in the bulk of records, this single use of the inventories may prove the most important contribution of the Survey.

Under the direction of Alston G. Field, who resigned as State Director November 1, 1937, work on the survey of records in Knox County, the forty-eighth county on the alphabetically arranged list of the one hundred and two counties in Illinois, was begun March 17, 1936, and finished as far as possible July 25, 1936. Additional work on offices and records not previously surveyed was started November 11, 1937, and completed December 28, 1937. A complete re-check was begun January 14, 1938, and completed March 11, 1938. The abstracting of the county board records was begun March 24, 1938, and finished July 21, 1938. The inventory was taken by Fred Worman, Walter Felt, Mrs. Grace Davies, and Gertrude O'Connor, under the supervision of Victor C. Karcher.

The inventory was prepared for publication by the state editorial staff of The Historical Records Survey at Chicago, under the supervision of Herbert R. Rifkind. Assisting were Martine O'Connor, in charge of editing and re-editing; Kathleen Summitt in charge of arranging and indexing; and Edward J. McDonough, in charge of format and collation. The legal essays were prepared under the supervision of Irving E. Barnett and Lyle D. Gumm. Typing, stencil cutting, and mimeographing were supervised by Dorothy V. Herold. In addition, too much credit cannot be given to the other members of the editorial, research, and typing staffs for their intelligent and diligent cooperation in the compilation of this Inventory.

The various units of the Inventory of County Archives of Illinois will be available for distribution to government offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states. Requests for information concerning particular units of the Inventory should be addressed to the state director.

All of the officers of Knox County cooperated in every possible way with the workers, and grateful acknowledgment of their aid is hereby made. County officials at the time of the Survey were: George A. Larson, County Clerk; Charles H. Westerberg, Circuit Clerk; William J. English, County Treasurer; Elgin Ross, Sheriff; R. C. Rice, State's Attorney; Rodney L. Stuart, County Judge; Jesse R. Peck, Superintendent of Schools; S. S. Scott, Surveyor; A. R. Smith, Superintendent of Highways; Webb Herlocker, Master in Chancery; and George S. Bower, Coroner. I also wish to express appreciation for the assistance rendered by the officers of the Illinois State Library, and by the officials of the Illinois Works Progress Administration and the Federal Writers' Project. For the cover design and the binding we are indebted respectively to the Federal Art Project and the Bookbinding Project of District 3, Chicago, Illinois.

  
Howard E. Colgan  
State Director  
The Historical Records Survey



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## 1. HISTORICAL SKETCH

### Knox County in Northwest and Indiana Territories

In the establishment of Knox County in Illinois, certain anomalies occurred which afford knowledge not only on the development of the county but also on that of the state. On June 20, 1790, Arthur St. Clair, Governor of the Northwest Territory, established by proclamation a Knox County which included about half of the present State of Illinois, the whole of Indiana, that part of Ohio west of the Great Miami River, the greater part of Michigan, and a considerable part of Wisconsin.<sup>1</sup> The boundaries of this original Knox County remained unchanged for over ten years until May 1800, when Indiana Territory was carved out of the Northwest Territory. William Henry Harrison, appointed the first governor, was qualified in January 1801. On February 3, 1801, he issued a proclamation altering the boundaries of the counties of Knox, Randolph, and St. Clair, the three counties into which Illinois at this time was divided.<sup>2</sup> As a result of this change in boundaries, the area of Knox County in Illinois territory was reduced to that embraced by parts of some eight present counties along the Wabash River.

- 
1. June 20 - A county named Knox was laid off with the following boundaries: Beginning at the Standing Stone Forks of the Great Miami River (near the present site of the village of Laramie, in the western part of Shelby County, Ohio) and down the said river to the confluence with the Ohio River; thence with the Ohio River to the small stream or rivulet above Fort Massac (near Metropolis, in Massac County, Illinois); thence with the eastern line of St. Clair County to the mouth of the Little Michilmacinack (the Mackinaw River flowing into the Illinois four or five miles below Pekin in Tazewell County); thence up the Illinois River to the forks or confluence of the Theokiki (Kankakee) and Chicago (Des Plaines); thence by a line to be drawn due north to the boundary of the Territory of the United States, and so far easterly upon said boundary line as that a due south line may be drawn to the place of beginning. - Territorial Records of the Northwest Territory, St. Clair Papers, volume 2, page 166, as reported in Counties of Illinois, Edward J. Hughes (Pr. by authority of the State of Illinois, 1934), p. 36, 16. Note: This statement is given on the formation of Knox County: Knox County, named in honor of General Henry Knox, had been formed pursuant to a proclamation by Winthrop Sargent, the secretary of the Northwest Territory, acting in the place of the governor, on June 20, 1790. Indiana Historical Society Publications (Indianapolis: The Bobbs-Merrill Company, 1905), III, no. 3, p. 65, 66.
  2. Indiana Historical Society Publications, III, no. 3, p. 98.



### Creation of Illinois Territory

On February 3, 1809, Illinois Territory was established by act of Congress, the act to take effect from and after March 1, 1809.<sup>1</sup> On April 28th of the same year, Nathaniel Pope, secretary of the Territory of Illinois and exercising the government thereof, divided the Illinois Territory into two counties, the County of St. Clair and the County of Randolph.<sup>2</sup> Thus, as no mention or provision was made for a Knox County in the newly organized Illinois Territory, it still remained to be established as an official Illinois county.

### Military Tract; Development of Counties Therein

An act of Congress passed in 1812, setting aside certain lands to be given to soldiers for bounties, restricted for this purpose two million acres in the Illinois Territory north of the Illinois River.<sup>3</sup> Located between the Mississippi and Illinois Rivers and extending north almost to the Rock River, this area became known as the Military Tract. It was within this Military Tract that Illinois, a few years after its recognition as a state in 1818, was to organize Knox County. In 1812 the territorial county of Madison was created which included more than two-thirds of the upper part of the state. Madison was then reduced in size by the formation of additional counties until in 1821, it was approximately its present size. In the same year Pike also was organized, and included within its limits the Military Tract and the northern part of the state. In 1823 Pike was reduced to an area approximately twice its present size, but with considerable other land attached to it for governmental purposes. In the same year Fulton County came into being, with an area about twice its present extent, and with most of the former Pike County attached to it for governmental purposes. This remained the status of the area north of the Illinois River for two years.

### Establishment of Knox County

At Vandalia, capital of Illinois at that time, the Fourth General Assembly passed "An Act forming new counties out of the counties of Pike and Fulton, and the attached parts thereof," which was approved January 13, 1825.<sup>4</sup> The eight counties established by this act were Schuyler, Adams, Hancock, Warren, Mercer, Henry, Putnam, and Knox. Section 8 of

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1. Laws of U. States, published under inspection of Joseph Story (Boston: Wells and Lilly, 1827), II, 1109.
  2. Territorial Records of Illinois, p. 3, as reported in Counties of Illinois, Edward J. Hughes (Pr. by authority of the State of Illinois, 1934), p. 24.
  3. Laws of the U. S., v. 4, p. 425, approved May 6, 1812, chap. 400, as reported in Robert Mayo and Ferdinand Moulton, Army and Navy Pension Laws and Bounty Land Laws of the United States, including Sundry Resolutions of Congress, from 1776 to 1852 (Washington: Jno. T. Powers, 1852), p. 289.
  4. L.1825, p. 92-96.



the act, in establishing Knox County, stated, "Be it further enacted, That all that tract of country within the following boundaries, to wit: Beginning at the point where the township line between townships eight and nine north intersects the meridian line, thence east on said line to the range line between ranges four and five east; thence up the said range line to the northeast corner of township twelve north, range four east; thence west on said township line to the meridian; and thence down the said meridian, to the place of beginning, shall constitute a county to be called Knox."<sup>1</sup> The Knox County thus created, was one tier of townships smaller on the north than its present size; these townships are the present Rio, Ontario, Walnut Grove, and Lynn.

### Naming of County

Knox County has had an unusual growth and development which makes it one of the outstanding counties in Illinois. While it was named in honor of Major General Henry Knox, Chief of Artillery of the American Army during the Revolutionary War, and later Secretary of War in Washington's cabinet, its settlement was largely made by church colonists. Under the able and vigorous direction of the leaders of these groups, the land was intensively cultivated, schools and colleges were established which obtained national recognition, and citizens of Knox became wise counselors in civic and financial affairs, not only in the county and state, but in the nation.

### First Settlers

The earliest settlers were emigrants from the South. The pattern of their movement into Illinois and Knox County, and the change in the movement to emigrations from other sections of the country, is best described by W. Selden Gale, son of the founder of Galesburg, and for fifty years prominent in county government:

"Take the map of the United States, and draw a line from Galesburg through Vincennes, Indiana. When prolonged it will penetrate the blue grass country; along that line, as a sort of main channel, with countless outpourings on either side, flowed the tide of settlement from Kentucky, Tennessee, and Virginia. Down to 1832, the year of the Black Hawk War, Knox County settlers came mainly from these states, either directly or from temporary homes in southern Indiana and Illinois. Later, with the termination of Indian hostilities, when immigration was resumed, the tide, at first, set chiefly from the same sources, although the number of settlers from the Northern States gradually increased.

"Eastern immigration set in in full force in 1836, the year of the arrival of the Galesburg Colony. It was an era of such enterprises, and many colonies of Easterners sought to found cities in the West. But in one respect the Galesburg Colony stands alone. It was not a money-making enterprise. These colonists sought to build up a community, and those

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1. L.1825, p. 94.





original members of the colony who could not come to live on their lands, were encouraged to surrender their holdings to permanent settlers. This was in direct contrast with the action of other colonies, where most of the members remained at their Eastern homes, and held their lands simply for speculative purposes...

"The immediate addition to the population was considerable. From that time forward the Southern immigration began to decline, and New York, New England, Ohio, and Pennsylvania supplied the majority of the new arrivals. The first considerable European accession was the Scotch settlement in the northeastern part of the county, chiefly in Copley. In 1846, a religious and communistic colony, under the leadership of Eric Janson, settled at Bishop Hill, in Henry County, near the northeastern corner of Knox. Influenced by Rev. Jonas Hedstrom, a Methodist clergyman, who had emigrated from Sweden and who was then living in Victoria, a considerable number seceded from this colony and settled on farms near Victoria. Steady immigration from Sweden followed... The Irish first appeared in force in 1854, as laborers on the railroad... For some time they remained content with this employment, but, little by little, they began to seek other outlets for their energy, many going to work upon farms."<sup>1</sup>

An interesting account of the first permanent settlement in Knox County, in what today is Henderson township, is found in an old directory. In this township stood a splendid grove of trees which proved a boon to settlers by supplying them with logs for the building of homes, stores, and taverns. Because of the number of log buildings in the settlement, it was called Log City. From this directory we learn the following about these early settlers:

"The first settlement of the colony was made in Henderson grove in February, 1828. Messrs. Daniel and Alexander Robertson, Riggs Pennington, Stephen Osborn, Robert and Eaton Nance, Rev. Jacob Gum, John B. James, and Zephaniah Gum, Jane Vaughan, Benjamin Coy, Alexander Frakes, Robert Greenwell, Thomas Sheldon and Nicholas Voiles, were the first heads of families who settled in Knox County; the unmarried emigrants who did not 'keep house', were Jesse D. Gum, Matthew D. Coy, Helen Hilton, Andrew Osborne, Thomas McKee, Alexander Osborne, and James Reynolds. In July 1829, the first marriage ceremonies were performed by Philip Hash, a justice of the peace: Fielden T. Hash to Miss Elizabeth Razor, and Alexander Osborne to Miss Ann Hendricks. The happy parties were compelled to obtain the license from Lewiston, (Lewistown) in Fulton County, and all were married upon the same day. This was the first introduction of Hash in the middle west, and the only instance on record of the commodity ever having been served in connection with a razor. In January, 1829, the first white child was born, the offspring of Zephaniah and June Gum. On the 9th day of January, 1829, the first death and burial occurred, a young man named Philip Nance, aged 17 years, died and was buried on the

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1. Historical Encyclopedia of Illinois and Knox County, W. Selden Gale, ed. Knox County (Chicago and New York: Munsell Publishing Company, 1899), p. 619.



N. E. quarter of section 16, township 12 N., R. 1 E. The friends were compelled to use the lumber of an old wagon-box in the construction of a rude coffin."<sup>1</sup>

From another early history of Knox County we further learn that "Jacob Gum and his sons settled upon sections 32 and 33... Riggs Pennington settled on section 10, from which place he moved to section 27... Stephen Osborn settled on section 23... Alexander Frakes and the Nance brothers settled on section 9... Benjamin Coy settled on section 31... Robert Greenwell settled on section 22... Nicholas Voiles settled on section 22..."<sup>2</sup>

#### Organization of County Government

It was not long before the arrival of other settlers caused the number of settlements to increase rapidly, and made Knox now feel the need for an organized county government. Up to this time all legal and county business had been handled in accordance with the provision in section 10 of "An Act supplementary to the Act regulating Elections", approved January 17, 1825, which stated, "That all the counties created, and authorized to be hereafter established by the act entitled 'An Act forming new counties of Pike and Fulton, and the attached parts thereof', shall continue and be attached to, and form a part of the counties from which they shall have been respectively taken, for all public, civil, and criminal proceedings, as heretofore."<sup>3</sup> Since Knox had been attached to Fulton County, its citizens were required to go to Lewiston, the county seat of Fulton, some forty or fifty miles south of the main settlements in Knox, in order to transact their legal business. This was a great inconvenience and a source of considerable annoyance to them.

It is not to be wondered, therefore, that a great clamor soon arose to take advantage of the provision in section 11 of the act of formation, which stated, "That when it shall appear, to the satisfaction of the judge of the Circuit Court, that any of the above named counties shall contain three hundred and fifty inhabitants, he is hereby required to grant an order for the election of county officers, as described in the ninth section of this act."<sup>4</sup> Again, from an authentic history of the county, we find the following facts dealing with the organization of the county government of Knox:

"In the spring of 1830, two years after the first white man had located in the county of Knox, it was thought there was a sufficient number of inhabitants to justify an organization. Accordingly a public meeting

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1. J. L. Dewey, Dewey's County Directory (Galesburg: Liberal Book and Job Office, 1868), p. 13.
  2. Chas. C. Chapman & Co., History of Knox County, Illinois (Chicago: Blakely, Brown & Marsh, 1878), p. 103.
  3. L.1825, p. 168.
  4. Ibid., p. 95.



was held at the store of Samuel S. White, in Henderson township, May 15, 1830. This store stood near the residence of John B. Gum, and in the early days was known as a tavern, but at present such a place would be commonly known as a saloon. The building was a one-story log cabin, about 16 feet square, and contained but one room. Riggs Pennington was chosen chairman and John G. Sanburn, secretary. The original minutes of the meeting are still extant, and in the possession of Mr. F. G. Sanburn, of Knoxville, who kindly loaned them to us. Among the pioneers present at this meeting looking forward to the organization of one of the wealthiest, most beautiful counties of the state, were Riggs Pennington, John G. Sanburn, Philip Hash, Stephen Osborn, Dr. Charles Hansford, Henry Bell, Jacob Gum, Nicholas Voiles and John B. Gum.

"Dr. Hansford, Riggs Pennington and John G. Sanburn were appointed to draft a petition addressed to the Honorable Richard M. Young, Judge of the Fifth Judicial District, praying for the organization of the county. Another committee was appointed to present this petition to the Judge and address him in the interests of the organization. This committee was composed of Pennington, Hash, Hansford, and Osborn. These gentlemen shortly afterward proceeded to Lewistown, Fulton County; and while the circuit court was in session, laid their petition before the Judge, who, believing the county contained 350 inhabitants, the number required by law, and that the majority desired the organization, did, on the 10th day of June, declare, by virtue of the power invested in him, the said county of Knox to be organized and entitled to the same rights and privileges as the other counties in the state.

"This step was soon supplemented by another of equal importance; for there must necessarily be official heads to conduct the public affairs of the newly organized community. Accordingly, at Galena, shortly afterward, Judge Young issued an order for an election for the purpose of choosing three commissioners. This election was held on the 3rd day of July, 1830, being the first election ever held in Knox County. Riggs Pennington, Philip Hash and Dr. Charles Hansford were elected county commissioners without opposition. The judges and clerks of the election were Jacob Gum, Nicholas Voiles, Stephen Osborn, William McMurtry and Jonathan Reed."<sup>1</sup>

The three commissioners elected in July were to serve only until their successors were chosen in the regular election in August of the same year. At this election, held August 2, Riggs Pennington and Philip Hash were elected to succeed themselves, and Alexander Frakes was chosen as the third commissioner. Apparently Dr. Hansford did not stand for election.<sup>2</sup>

#### Selection of County Seat

County organization effected, the next step was the selection of a county seat. This was made possible by "An Act to Establish a Permanent

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1. Chas. C. Chapman & Co., History of Knox County, Illinois (Chicago: Blakely, Brown & Marsh, 1878), p. 128, 129.
  2. See Roster of County Officers, this inventory, p. 31.



Seat of Justice for Knox County, and for other purposes,"<sup>1</sup> passed January 15, 1831, by the Seventh General Assembly at Vandalia. Section 1 of the act declared, "That the seat of justice for the county of Knox be, and the same is hereby permanently established on the southwest quarter of section twenty-eight, in township eleven north, of range two east of the fourth principal meridian; and that the county commissioners of the said county of Knox be, and they are hereby authorized to purchase, for the use of said county, the said quarter section of land of the United States, as provided for by the laws of Congress, and to lay off on the same a town, which shall be named Henderson."

### County Boundaries Re-defined

This same act re-established the boundaries of Knox County, adding the present civil townships of Rio, Ontario, Walnut Grove, and Lynn, on the north, and the two civil townships of West Jersey and Goshen, on the east. Re-defining the county boundaries, section 2 of the act stated, "The boundary lines of the county of Knox shall hereafter be as follows, to wit: Beginning at the southeast corner of township nine north, in range four east of the fourth principal meridian; thence north on the line between ranges four and five east to the southeast corner of township twelve north, in range four east; thence east on the line between townships eleven and twelve north to the southeast corner of township twelve north range five east; thence north on the range line between ranges five and six east to the northeast corner of township thirteen north range five east; thence west on the line between townships thirteen and fourteen north to the fourth principal meridian; thence south with said meridian to the southwest corner of township nine north, in range one east; thence east on the line between townships eight and nine north to the place of beginning."<sup>2</sup>

In the establishment of Stark County in 1839, the legal voters in West Jersey and Goshen, the two eastern townships added to Knox in 1831, were directed by law to express their preference at an election as to whether they desired to become part of Stark, or preferred remaining with Knox.<sup>3</sup> The vote going against Knox County, the two townships accordingly became part of Stark, leaving Knox County with the same area and boundaries it possesses today.

### First Meeting of County Commissioners

After the election on July 3, 1830, a special term of the county commissioners' court was called to assemble at the house of John B. Gum on July 7, 1830. The commissioners were sworn in by Stephen Osborn, the sheriff-elect, and the court was declared duly organized for the transaction of business. John B. Gum was appointed clerk of the court.<sup>4</sup> On July 9, 1830, Gum declined the appointment of clerk and John G. Sanburn

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1. L.1831, p. 62.

2. Ibid., p. 62,63.

3. L.1839, p. 229,230, sec. 2.

4. County Commissioners' Court Record, v. 1, p. 1. (See entry 2, this inventory).





was appointed in his stead.<sup>1</sup> As Sanburn was sworn in as clerk of the court by Philip Hash, commissioner, he is considered to be the first clerk of the county. On the same day the court ordered that the temporary seat of justice for Knox County be located at the house of John B. Gum, Esq.; that the next general election be held on the first Monday of August next; that the clerk procure a suitable seal for the court and for the circuit court, as well as all necessary books for the circuit and county commissioners' courts; and that the sum of seventy-five cents be allowed to each judge and clerk for the election held July 3rd.<sup>2</sup> John B. Gum was appointed treasurer and ordered to give bond in the sum of \$500.<sup>3</sup>

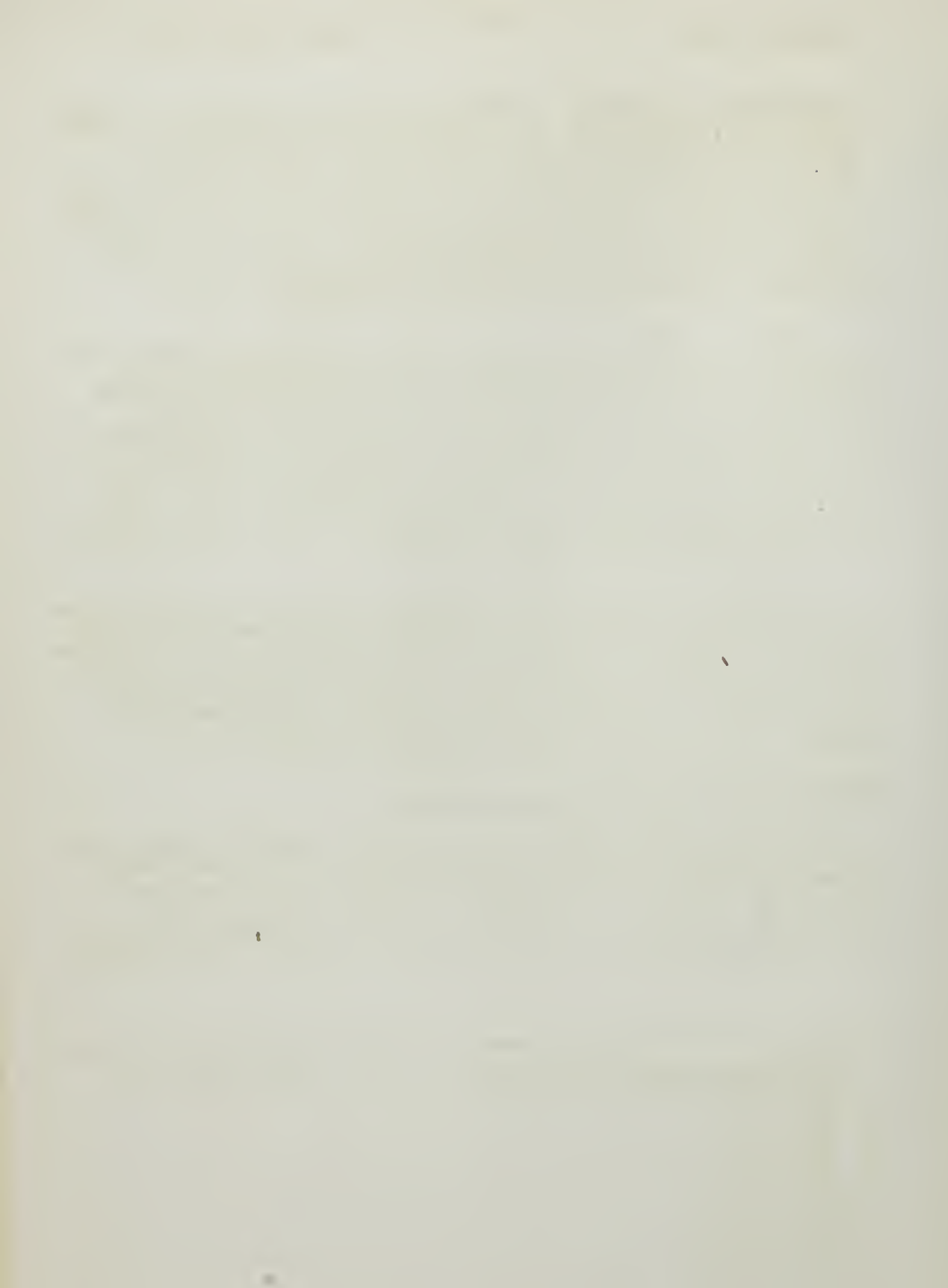
On July 17, 1830, it was ordered that for the election of justices of the peace and constables, the county was to be hereby divided into two districts; the first district called "Henderson District" was to include all that part of the county lying north of the township line between townships 10 and 11 north (14 present civil townships); the second district called "Spoon River District" was to consist of all that part of the county lying south of the township line (8 present civil townships).<sup>4</sup> A petition also was addressed to the county commissioners' court of Fulton County, requesting that they furnish Knox County with a list of all lands lying in Knox County assessed for taxation, and that they relinquish to Knox County the right to collect taxes.<sup>5</sup>

The soundness of the financial affairs of the young and ambitious county at this time, is revealed by an examination of the record of the county commissioners' court at its meeting on March 7, 1831. The first receipt issued to the sheriff by the treasurer, for the sum of \$19.32, was for taxes collected on personal property; on this collection the sheriff's commission was \$1.56.<sup>6</sup> The treasurer's first financial statement, March 7, 1831, showed total receipts amounting to \$341.32 and expenditures of \$10.75, leaving an imposing balance of \$330.57 on hand.<sup>7</sup>

#### First Contracts for Construction of Courthouse

With county affairs humming, it now became the immediate concern of the commissioners' court to build a courthouse and lay out the county seat. On March 12, 1831, therefore, it was ordered that a contract be entered into for the erection of a courthouse, to be built under two separate contracts.<sup>8</sup> It also was ordered that a contract be entered into for posts and stakes for laying out the town at the seat of justice.<sup>9</sup> William Lewis

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1. County Commissioners' Court Record, v. 1, p. 2. (See entry 2, this inventory)
  2. Ibid., p. 3, 4.
  3. Ibid., p. 4.
  4. Ibid., p. 6.
  5. Ibid., p. 7.
  6. Ibid., p. 12.
  7. Ibid., p. 13.
  8. Ibid., p. 15.
  9. Ibid., p. 16.



was awarded the first contract of \$78.00 for the construction of the courthouse; Parnach Owen was awarded the second contract of \$100, for the completion and furnishing of the courthouse; and Andrew Osborne was awarded the contract of \$15.00 for the posts and stakes and to lay out the town.<sup>1</sup> The commissioners ordered on March 26, 1831, that some suitable person be employed to proceed to the land office at Springfield, as agent for the county of Knox, to secure title to the quarter section designated by law as the permanent seat of justice; Reese Jones offered to go for the sum of \$8.00 and also to give bond; the offer was accepted and he was given \$205 to pay for the land in addition to his \$8.00 salary.<sup>2</sup>

Parnach Owen received a contract on April 1, 1831, to lay out the town of Henderson for a consideration of twelve and one-half cents per lot, and on April 23rd was allowed \$18.25 for surveying the town, this sum to be acceptable as payment against purchase of lots.<sup>3</sup> An order had been given earlier that there would be a public sale of lots in the town of Henderson on April 23rd; at this sale lots sold at prices ranging from \$2.00 to \$60.00 with a total of seventy-nine lots selling for \$1,256.<sup>4</sup>

#### Early Care of the Indigent

As indicative of the responsibility assumed for the care of the poor and unfortunate practically from the beginning of the county's organization, on May 2, 1831, Joshua Stinson, a lunatic pauper, was placed in the care of Stephen Osborn. Bids were asked for his keeping to be submitted on May 20th, and on that day Osborn received \$6.00 for keeping Stinson.<sup>5</sup> On September 12, 1855, it was ordered that the west one-half of the southwest quarter of section twenty-one be purchased for a county farm.<sup>6</sup> The overseers of the poor were ordered to remove all paupers to the county poor farm on May 14, 1856.<sup>7</sup> The board of supervisors on May 29, 1866, allowed a bill for \$300 of W. W. Boyington, architect, for plans and specifications for a poorhouse; also a committee was authorized to purchase land near Galesburg for a poor farm and to proceed with its construction.<sup>8</sup> The land purchased was never used and the poorhouse was built on the land or farm originally purchased, located near Knoxville. A resolution was adopted September 11, 1867, changing the name from Poor House to Alms House.<sup>9</sup> Today the institution is known as the Knox County Home and Hospital.<sup>10</sup>

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1. County Commissioners' Court Record, v. 1, p. 17. (See entry 2, this inventory)
  2. *Ibid.*, p. 20, 21.
  3. *Ibid.*, p. 22, 29.
  4. *Ibid.*, p. 25.
  5. *Ibid.*, p. 30, 31.
  6. Proceedings of Board of Supervisors, v. A, p. 92. (See entry 2, this inventory)
  7. *Ibid.*, p. 131.
  8. *Ibid.*, p. 232, 233.
  9. *Ibid.*, v. B, p. 338.
  10. *Ibid.*, v. S, p. 527, March 20, 1917.



### First County Buildings

On September 17, 1831, the commissioners' court abandoned the house of John B. Gum and met for the first time in the first courthouse of Knox County; the final contracts for the finishing of the courthouse were also let that day.<sup>1</sup> One year later, on September 14, 1832, the county clerk, John G. Sanburn, offered to build a jail for the county for \$240.<sup>2</sup> Sanburn must have been a busy man, as over two years elapsed, before, on December 2, 1834, he was given an ultimatum by the board to complete the jail in two weeks "by hanging the door and securing the same."<sup>3</sup> This jail served the county for seven years, until on January 25, 1841, a contract was let to Zelotes Cooley to build a jail for the sum of \$8,724, to be located on lot 5, block 6, in Knoxville.<sup>4</sup> Cooley was paid \$300 for an exchange of his contract to A. Wheeler on March 6, 1841.<sup>5</sup> Wheeler, on March 4, 1844, was allowed time to complete the jail until March, 1845, and on that day was paid \$2,046 as final payment in full for its construction, the total cost of which was \$7,784.<sup>6</sup>

Five years after the county commissioners moved into the first courthouse, the need was felt for a larger and more impressive building. Therefore, on September 7, 1836, the clerk was ordered to issue notices to the effect that on the first Monday in November the commissioners would receive drafts and plans for the erection of a suitable courthouse.<sup>7</sup> Henry J. Runkle, December 5, 1836, was requested to furnish three copies of a suitable draft for a courthouse to be forty feet wide and fifty feet long with a portico in front supported by Doric stone pillars.<sup>8</sup> The classical style was adopted because at this time, revival of Greek architecture was the vogue, and public buildings were made to look like Greek temples. On March 24, 1838, Alvah Wheeler and Zelotes Cooley entered into a contract to build a courthouse in Knoxville for the sum of \$15,450, to be completed on or before May 1, 1840.<sup>9</sup> That these contractors made better progress with the building of the courthouse than did the builder of the jail, is evidenced by the fact that on December 4, 1839, it was ordered that the courthouse, so far as settled for, be received and be considered the public courthouse of Knox County.<sup>10</sup>

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1. County Commissioners' Court Record, v. 1, p. 40,41. (See entry 2, this inventory)
  2. Ibid., p. 60.
  3. Ibid., p. 137.
  4. Ibid., v. 2, p. 416.
  5. Ibid., p. 478.
  6. Ibid., v. 3, p. 187, 270.
  7. Ibid., v. 1, p. 268.
  8. Ibid., p. 289.
  9. Ibid., v. 2, p. 59.
  10. Ibid., p. 260.



Increase in County Revenue

The rise in the revenues of the county may be gauged by the increasing amount of bond required of the county treasurer in a period of twenty years. When John B. Gum was appointed treasurer, July 9, 1830, his bond was \$500.<sup>1</sup> Not quite two years later, on March 10, 1834, Charles Hansford was appointed treasurer and bonded in the sum of \$4,000.<sup>2</sup> Bond of \$6,000 was required of George Newman when he was appointed treasurer, March 5, 1835, and \$8,000 when re-appointed March 11, 1836.<sup>3</sup> Jenn Eads who was elected treasurer the first Monday in August 1837, filed his bond of \$12,000 with the county commissioners' court, September 4, 1837.<sup>4</sup> There was no increase in the amount of the bond when Eads was re-elected in 1839. But Henry Arms, elected August 7, 1843, filed his bond of \$17,000 September 4, 1843, with the court.<sup>5</sup> The bonds of the collector were somewhat larger in amount. After 1839, when the sheriff ceased to be collector, Gabriel Plymate was appointed first collector of Knox County, March 4, 1840, and on September 7, 1840, filed his bond in the sum of \$10,867.<sup>6</sup> In 1853, when the two offices of treasurer and collector were consolidated, William H. Whitton filed his bond of \$16,000<sup>7</sup> as treasurer to succeed David Edgerton, and a bond for \$37,000 as collector.<sup>8</sup>

Roads, Ferries, Bridges

For a number of years, after the county was established in 1830, a large proportion of the business of the county commissioners' court was the receiving of petitions for the building of roads, the appointment of commissioners to view roads, the laying out of road districts, the building of roads, and the letting of contracts to build ferries and bridges. The petitioners for roads were required to make a deposit of \$6.00, which was returnable if the report was favorable, whereupon the court appointed a commission to view out and locate the road. The first petition for a road from Henderson to the north line of Knox County on the nearest and best route in the direction of Rock Island was presented by Reese Jones, June 6, 1831; on September 5th the commissioners appointed made a favorable report, but because no survey was made agreeable to law, the court ordered that the road be not established as a public road.<sup>8</sup> James Nevitt presented a petition March 5, 1832, for a road from Henderson to the south line of the county in the direction of Canton in Fulton County; county

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1. County Commissioners' Court Record, v. 1, p. 4. (See entry 2, this inventory)

2. *Ibid.*, p. 104.

3. *Ibid.*, p. 152, 214.

4. *Ibid.*, p. 335.

5. *Ibid.*, v. 3, p. 159.

6. *Ibid.*, v. 2, p. 297, 348.

7. *Ibid.*, v. 5, p. 225, 266-68.

8. *Ibid.*, v. 1, p. 32, 36.





surveyor Parnach Owen, Perry Morris, and James Nevitt were appointed viewers; and on June 4th, the survey notes and plat were accepted and the court ordered the width of the road to be fifty feet.<sup>1</sup> Two road districts were laid out on June 4th, 1832; James Milane was appointed supervisor of district number one, and James Nevitt appointed supervisor of district number two.<sup>2</sup>

The commissioners entered into a contract with Simeon Dolph, September 2, 1834, for the building of a ferry boat on Spoon River, to be completed in three months, and to cost \$45.00. On March 4, 1835, Dolph was issued a license to operate the ferry on Spoon River for the term of one year, for a fee or \$2.00 plus the clerk's fee.<sup>3</sup> The court on March 10, 1836, ordered that \$42.50 be appropriated out of the road fund for the erection of a bridge over Edwards River; this order was issued to Asa Crooks, supervisor of the Henry road district.<sup>4</sup> Of considerable help to counties of the day, in building and maintaining roads, was "An Act concerning Public Roads" in force February 3, 1835, section 16 of which stated that the county commissioners could enter upon the records of the court the number of days able bodied men between the ages of 21 and 50 were to do work upon public roads as a labor tax.<sup>5</sup> This number was to be not less than one nor more than five. The court commissioners in Knox County on April 18, 1835, fixed the number of days at two for the ensuing year.<sup>6</sup>

#### Licenses, Retail Rates

Another interesting sidelight on the work of the county commissioners' court is found in the issuing of licenses for taverns and stores, and the retail rates set for spirituous liquors. Samuel White was issued a license to retail spirituous liquors for the term of one year, July 9, 1830, for the sum of \$2.00; regulatory tavern rates established were: one-half pint of whiskey, 12 1/2 cents; one-half pint of brandy, 18 3/4 cents; one-half pint of wine, 25 cents; one meal, 25 cents; for lodging one person one night, 12 1/2 cents; for a feed of corn and oats for horse, 12 1/2 cents; for a feed and stabling for horse for one night, 25 cents.<sup>7</sup> John C. Owen, upon payment of \$4.00 and clerk's fee, was issued a license to retail merchandise, June 13, 1831.<sup>8</sup> George Newman was issued a license to keep a tavern, September 13, 1832, in Henderson; in addition to the fee of \$6.00, he was required to give bond and pay the clerk's fee of \$1.00.<sup>9</sup> The firm of Charles Jack & Co., September 2, 1835, was issued a license to retail merchandise from August 21st last; the company paid \$8.00 as a fee but was refunded \$2.00 as over payment.<sup>10</sup> Corroborating a state-

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1. County Commissioners' Court Record, v. 1, p. 46, 51, 52. (See entry 2, this inventory)
  2. *Ibid.*, p. 53.
  3. *Ibid.*, p. 129, 147.
  4. *Ibid.*, p. 202.
  5. L.1835, p. 134, sec. 16.
  6. *Ibid.* 1, p. 156.
  7. *Ibid.*, p. 4.
  8. *Ibid.*, p. 34.
  9. *Ibid.*, p. 57.
  10. *Ibid.*, p. 61.



ment of Earnest Elmo Calkins, that "Hoosier lawmakers at Vandalia drafted their suspicions (of Yankees) into statutes, for while a license to sell liquor cost \$2.00 a year, a license to peddle clocks was fixed at \$50.00,"<sup>1</sup> is the license issued to John H. Trickey for a payment of \$12.50, March 10, 1834, to peddle clocks in said county for a period of three months from the 8th day of May, 1834.<sup>2</sup>

#### Change in Name of County Seat

Less than a year after the Seventh General Assembly had passed the act establishing a permanent seat of justice for Knox County, and designated that it be called Henderson,<sup>3</sup> another law was enacted, December 22, 1832, by the Eighth General Assembly, changing the name to Knoxville.<sup>4</sup> Confusion with another town in Knox County having the same name of Henderson, was the reason for the change. Thus Knoxville, in what today is Knox township, became and remained the official county seat of Knox County for the next forty-one years.

#### Importance of School Commissioner

The school commissioner in the early days had a responsible position in that he was the agent for the sale of school lands, which were the sections numbered sixteen in each township. Abraham Swartz was appointed the first commissioner, September 5, 1831, but his appointment was rescinded, September 14, 1832, because he failed to furnish bond as required by law, William McMurtry being appointed in his stead.<sup>5</sup> A school district called Henderson was established, March 9, 1837; on March 10th the Edgar district was laid out; and on June 16th the Little Creek school district was created.<sup>6</sup> Curtis H. Harvey was appointed school commissioner in the place of William McMurtry who resigned, March 3, 1840; and on March 4th, Harvey filed his bond for \$12,000, the same day McMurtry presented his last report to the commissioners' court.<sup>7</sup>

#### Organization and Settlement of Galesburg Colony

Probably the most important event in the history of Knox County was its selection as a site for a religious colony under the leadership of Rev. George W. Gale in the years 1835 and 1836. In 1834, Reverend Gale of Whitesboro, New York, who had been engaged in educational work for many years, worked out a plan for an institution to be located somewhere

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1. Earnest Elmo Calkins, They Broke the Prairie (New York: Charles Scribner's Sons, 1937), p. 80.
  2. County Commissioners' Court Record, v. 1, p. 111. (See entry 2, this inventory)
  3. L.1831, p. 62, sec. 1.
  4. Private L.1832, p. 23, sec. 1.
  5. Ibid. 2, p. 35, 59.
  6. Ibid., p. 301, 309, 327.
  7. Ibid., v. 2, p. 285, 286, 291-94.



in the West. His idea was to combine manual labor with college work, thus accomplishing two things: better health for the students, and the earning of sufficient money to support the school. He planned to buy a township of land and reserve three sections for a village and college grounds, with the remainder to be divided into farms to sell at not less than \$5 per acre. He proposed to acquire the land from the government at its standard price of \$1.25 per acre.

Gale first sent an exploring committee out in 1834 to look at lands in Indiana, Michigan and Illinois; they were to look for land that could be quickly turned with a plow, had good drainage, and was available in the amount needed. Only one of the committee, Thomas Gilbert, got as far as Knox County where he purchased a farm. Despite the fact that no report was made by the committee, the directors of the colony went ahead, raised approximately seven thousand dollars, and appointed a purchasing committee. The committee arranged a loan for \$10,000 from the Utica Bank. This committee left Whitesboro in the middle of September 1835, and came to Knoxville, where they were told of a large tract of available land some five miles west of Knoxville. Here the committee found just what they wanted in thirty thousand acres of prairie land; of this they purchased 10,746 <sup>4</sup>/<sub>5</sub> acres or roughly 17 sections at a price of \$15,094.84. They located the town and called it Galesburg, re-surveyed the lands purchased, bought some improved land near Henderson Grove for the use of the first comers, and then returned to Whitesboro.

With the return of the purchasing committee, a meeting of the subscribers was called to receive their report at Whitesboro, New York, January 7, 1836. The report was satisfactory, and a college was provisionally organized, to be called, till chartered, "Prairie College." The townsite was reported, the name "Galesburg" confirmed, and plats of the purchase were made. Five hundred and sixty acres were reserved for town property, and one hundred and four acres for college and theological uses. The balance of the purchase was divided into farms, appraised upon the average of five dollars per acre, and nearly half sold to purchasers, most of whom had never seen the soil. In the spring of 1836 several families moved, arriving at the settlement in June. Others went on with them to prepare to remove their families in the fall. Mr. John C. Smith of Utica persuaded several to purchase with him a canal boat in which they embarked their families and effects.<sup>1</sup> This party going by boat hoped to save time and avoid fatigue, but their trip turned out to be a real hardship. The two or three months required to go from Buffalo to Cleveland, through the Ohio Canal to Portsmouth on the Ohio River, down the Ohio to the Mississippi River, up the Mississippi River to the Illinois River, and up the Illinois to Copperas Creek near Peoria, forty miles from Galesburg, found every one of the party sick from fever at the end of the journey. Smith, Isaac Mills, and Lyman, only lived a short while, Smith dying at Knoxville and the other men only living a few weeks.

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1. Rev. G. W. Gale, A Brief History of Knox College (Cincinnati: C. Clark, 1845), p. 3-14.



The subscribers to the plan comprised only a fraction of the actual colonists. Friends and neighbors came with them, and others, hearing of the enterprise, followed. Intending emigrants on exploring trips came, and being pleased with the conditions, bought land. Among them was a company from Vermont, under the leadership of Matthew Chambers and Erastus Swift, which became an influential element in the future history of the settlement. C. S. Colton, from Maine, looking for a location, visited his old friend, Mr. Abel Gooddel, and remained. In December 1836, about forty families were on the ground.<sup>1</sup> More settlers came in 1837, and by 1838 very little of the unreserved colony land remained unsold. The remainder, no longer offered on the original terms, was gradually disposed of at advancing prices, the last being sold at thirty dollars per acre.<sup>2</sup>

The college organized as Prairie College in Whitesboro, New York was incorporated as Knox Manual Labor College by act of law approved February 15, 1837.<sup>3</sup> The trustees were: John Waters, John G. Sanburn, Matthew Chambers, Erastus Swift, Nehemiah H. Losey, George H. Wright, Ralph H. Hurlburt, George W. Sale, Nehemiah West, Thomas Simmons, and Parnach Owen. The words "Manual Labor" were shortly dropped from this incorporated name, and the college assumed its present name of Knox College.

#### Transcription of Land Records

Of importance in assembling all the records which concerned the property in Knox County was the appointment of Hiram E. Swift as commissioner, December 3, 1845, to transcribe the records relating to all lands lying in the county of Knox, in the different recorders' offices in the state in which they might be legally recorded; he was to be paid 25 cents for each deed, for transcribing, comparing, and certifying to the same as well as making a complete index of grantors and grantees, to be completed by September 1, 1846; he received \$100 to purchase books for these records, and on March 1, 1847, rendered a bill amounting to \$1,139.34 for transcribing records found outside Knox County.<sup>4</sup> Due to the fact that in the process of establishing counties, one large county would be divided, and the divisions themselves would be further divided and made separate counties, when the land records were completed, it was sometimes necessary to go to Lewistown (Fulton County), Rushville (Schuyler County), Pittsfield (Pike County), Edwardsville (Madison County) and Laskaskia, the county seat when Illinois was but one county, to secure a complete chain of title to land conveyed.<sup>5</sup> Henry H. Runkle was ordered, September

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1. Historical Encyclopedia of Illinois and Knox County, W. Selden Gale, Geo. Candee Gale, ed., Knox County (Chicago and New York: Munsell Publishing Company, 1899), p. 662.
  2. Ibid., p. 663.
  3. L.1836-37, Incorporation Laws, p. 33, sec. 1.
  4. County Commissioners' Court Record, v. 4, p. 26, 27, 102. (See entry 2, this inventory)
  5. Historical Encyclopedia of Illinois and Knox County, p. 617.







10, 1846, to obtain a book and transcribe tax sales from the sales of March 1834 to 1840 inclusive.<sup>1</sup> William McGowan and Nathaniel Sanburn were given a contract June 6, 1849, to make indexes to the deed and mortgage records for the sum of \$157 and on December 5, 1849, were given a final payment of \$78.50 for completing the work.<sup>2</sup>

### First County Court

In accordance with the legislation of 1849, a county court was established in each county, replacing the county commissioners' court. This court had a dual function: the county judge with two associate justices acted as administrators of county affairs, while the county judge alone administered over judicial matters. At the election of November 6, 1849, George C. Lanphere was elected county judge, and Alfred Brown of Henderson and James M. Hunter of Salem were elected associate justices; results of this election were recorded December 3rd and 7th, 1849, in the county commissioners' court record.<sup>3</sup> The new law also made provision for each county to choose between the county court plan or the township plan. If the electorate of a county wished to continue under a form of government similar to that of the county commissioners' court to which they were accustomed, they voted to adopt the new county court by electing a county judge and two associate justices; if the electorate decided in favor of the township plan, then the county was to be divided into townships, each selecting one supervisor, with all township supervisors together forming the county board of supervisors in charge of county business.

### Adoption of Township Plan of Government

At the November election the county court of Knox County became confused over the plurality of votes in favor of township government, not realizing that this plurality was not a majority of all the legal voters in the county. Accordingly, they proceeded on December 5, 1849, quite illegally, to appoint commissioners to divide the county into townships.<sup>4</sup> A summary of this confusion over the adoption of township government, which at last was accepted at the November election in 1852, is found in a History of Knox County, published in Chicago by Charles C. Chapman & Company:

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1. County Commissioners' Court Record, v. 4, p. 86. (See entry 2, this inventory)
  2. *Ibid.*, p. 328, and v. 5, p. 13.
  3. *Ibid.*, v. 5, p. 1, 10.
  4. *Ibid.*, p. 13.



"The last meeting of the county commissioners' court was held October 12, 1849. Merriweather Brown, Alfred Brown and Amos Ward, being members, were all present . . .

"George C. Lanphere was chosen the first county judge, being elected November 6, 1849 - the first November election held. The first associate justices were James M. Hunter and Alfred Brown. During the existence of this court the people were agitating the question of township organization ... at the fall election in 1849 a vote was taken 'for' or 'against township organization', which resulted in 728 votes in favor of the new measure and 420 against. The election precincts at this time were 12 in number, and comprised the following: Brush Creek, Pope Creek, Fraker's Grove, Spoon River, Littler's Creek, French Creek, Cherry Grove, Victoria, Haw Creek, Galesburg and Knoxville. According to the result of the election as this court viewed it, the proposition for township organization had been carried by a handsome majority. Accordingly at their first meeting they appointed Joel Lee, Martin B. Mason and John Arnold commissioners to divide the county into townships. These commissioners constituted each Congressional township a separate town. They then appointed Monday, Jan. 14, 1850, as a day for the citizens of the different townships to meet at the usual place of holding election, and determine by what name their respective townships should be called. Accordingly upon that day the people assembled and selected the following names:

Old Name	Present Name	Old Name	Present Name
Indian Point	Same	Maquon	Same
Cherry Grove	Cedar	Ohio	Haw Creek
Galesburg	Same	Persifer	Same
Henderson	Same	Prince Albert	Copley
		(Ritchfield, 1853)	
North Prairie	Rio	Walnut Grove	Same
Chestnut	Same	Salem	Same
Orange	Same	Liberty	Elba
Knoxville	Knox	Chester	Truro
Sparta	Same	Worcester	Victoria
Ontario	Same	Fraker's Grove	Lynn

"... Considerable dissatisfaction began to be expressed in regard to township organization. It was discovered that according to the law it did not receive a majority of all the legal votes (voters) of the county, the votes cast at the last presidential election being taken as the number of legal votes. According to that it fell 500 or 600 short of a majority. At a meeting held at the schoolhouse in Abingdon, February 23, the following resolution was adopted showing the feeling then existing in parts of the county in reference to the new law. 'Resolved, That it is a sense of a majority of this meeting that the law passed at the last session of the legislature of the State of Illinois, in relation to township organization, is unconstitutional'. ... In the issue of the Knoxville Journal of March, 1850, Julius Manning a wise counselor at law (also circuit judge) ... had a lengthy and able article upon the constitutionality of the plan of township organization as adopted by the legislature ... given at the request of the county court. ... While Mr. Manning thought the law was consti-



tutional and would be so held by the courts, yet he thought that it was not legally adopted by this county, in that a majority of all the voters in the county had not cast their ballots in favor of it. Subsequently, the Supreme Court confirmed the able counsel given by Mr. Manning.<sup>1</sup>

"In the spring of 1850 an election was held in the various townships to elect supervisors. On the 6th of May the Board met. There were present M. Brown, E. H. Jordan, J. Bunce, J. W. Brown, D. K. Moore, I. M. Wetmore, J. DeLong, S. E. Hale, J. Huff, J. H. Sumner, G. W. Manly, John Stanley, A. Gross, J. Arnold, G. Cadwell, Samuel Tucker and J. White.<sup>2</sup> Some unimportant business was transacted, and the board adjourned never to re-assemble again.

"The County Court soon ordered another election to vote on the question of township organization. This vote, taken at the fall election November 5, 1850, resulted in 673 votes being cast in favor of the township plan, and 317 votes against. While this was a decided majority of the number of votes cast, it still was not a majority of all the legal voters in the county."<sup>3</sup>

The township organization plan was allowed to lie dormant during the year 1851, but on June 9, 1852, the county court received a petition signed by the requisite number of qualified voters asking that the question be re-submitted at the next general election in November; the abstract of votes submitted for record, December 6, 1852, showed 2,231 votes for township organization, and 167 votes against; the court then appointed William Maxwell, Stephen S. Buffum, and Isaac M. Wetmore commissioners to divide the county into towns.<sup>4</sup> The first meeting of the board of supervisors was held June 6, 1853, and the 16 members present proceeded to elect

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1. E. Peck, counsellor at law, Illinois Reports (Springfield: Lanphier & Walker, 1850), XI, 479, 480.

"The people of the State of Illinois, on the relation of William Davenport, appellants vs. Welcome B. Brown, Judge, William E. Buckingham and William C. Poynter, Associate Justices, and Edgar Babcock, Clerk of the County Court of Woodford County, appellees." (June term, 1850 - a test case).

2. County Commissioners' Court Record, v. 5, p. 35. (See entry 2, this inventory) Names given were Manyweather Brown, E. M. Jordan, James Bunce, Samuel W. Brown, Lyman K. Moore, Isaac M. Witmore, Julius DeLong, John E. Hale, John Huff, James H. Sumner, George W. Manley, John Stanley, A. Grop, John Arnold, George Cadwell, Samuel Tucker, and James White.

3. Chas. C. Chapman & Co., History of Knox County, Illinois (Chicago: Blakely, Brown & Marsh, 1878), p. 146, 247-49.

4. County Commissioners' Court Record (County Court Record), v. 5, p. 207, 219. (See entry 2, this inventory)



Daniel Meek as chairman for the ensuing year:<sup>1</sup> four townships were re-named by the board because of conflict with towns having identical names; Cherry Grove was changed to Cedar, Ohio became Haw Creek, Ritchfield was changed to Copley, and Liberty became Elba.<sup>2</sup> Bids were opened June 26, 1854, for the building of fireproof offices for the county and circuit clerks; Samuel Fox proved to be the low bidder with a bid of \$5,375. This bid was accepted June 27th and a motion carried to erect the building adjacent to the west side of the courthouse.<sup>3</sup>

### Coming of the Railroad

The next great development of Knox County, following the establishment of Galesburg and Knox College, came with the entrance of the railroad into the county. This began the famous struggle between Knoxville and Galesburg which brought on the bitter county seat controversy, and engendered many years of harsh feeling between the two towns. In 1849 the legislature granted a charter to the Peoria and Oquawka Railroad Company, which was to have its terminals at Peoria on the Illinois River, and Oquawka on the Mississippi, due west of Galesburg. Burlington, Iowa was a short distance down the river from Oquawka, but being on the opposite side, its citizens clamored for a terminal there rather than at Oquawka. For awhile Galesburg entertained the idea of fighting for a location on this line but found Knoxville had had the charter of the Peoria and Oquawka Railroad Company amended to establish the line through Knoxville and Monmouth, Galesburg's rival on the west, missing Galesburg by three miles. A vivid picture of the struggle is presented in the words of Earnest Elmo Calkins:

"By modern standards both towns (Knoxville and Galesburg) were on the line. Galesburg was incensed, though possibly not surprised, that Knoxville devoted her energies not to securing the road for herself, but to keeping Galesburg off. She had influence with the legislators at Springfield, while Galesburg was still a Whig Abolitionist pariah among the prairie towns of Illinois. The Quincy Herald referred to 'the little-nigger-stealing town of Galesburg.' The contest was bitter; all the old animosity flared up. To the moral, social and political differences between the inhabitants of the two villages was added the economic, for Knoxville was shrewd enough to guess what would happen once those energetic Yankees got a railroad. That town would outgrow her, and her hold on the county seat be put in jeopardy. She would almost have no railroad than have Galesburg share it."<sup>4</sup>

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1. County Commissioners' Court Record (County Court Record), v. 5, p. 243. (See entry 2, this inventory) Supervisors were: Daniel Meek, W. Selden Gale, Reuben Heflin, J. P. West, J. M. Foster, John O. Stanley, J. H. Nicholson, J. L. Jarnagan, E. P. Dunlap, Peter Frans, Asa Haynes, Edward Crane, Geo. W. Manley, S. S. Buffum, Augustus Lapham, and Wm. M. Clark.
  2. Ibid.
  3. Ibid., p. 294, 300, 301.
  4. Earnest Elmo Calkins, They Broke the Prairie, p. 203, 204.





Just five days after the charter of the Peoria and Oquawka Railroad was changed, February 15, 1851, the Central Military Tract Railroad was organized at Galesburg and George C. Lanphere was sent to the legislature to either secure a change in the Peoria and Oquawka charter making Galesburg a station on the line, or to secure the right to construct a railroad from Galesburg to some point on the Chicago and Rock Island Railroad. Lanphere successfully put over the latter proposal and in July 1852, the charter of the Central Military Tract Railroad was amended giving it the right to connect with any railroad leading directly or indirectly into Chicago. From this a plan was evolved to connect with the Chicago and Aurora (branch of the Chicago and Galena Railroad) at Mendota, in LaSalle County, northeast of Galesburg. Because eastern capitalists were interested in the Aurora branch, a meeting between Chauncey Colton, wealthy merchant of Galesburg and James F. Joy representing John Murray Forbes, Boston capitalist, was arranged, which resulted in a plan to piece together several small roads designed to give Galesburg direct access to Chicago. Thus the Peoria and Oquawka would run from Burlington to Galesburg, the Central Military Tract Railroad to Mendota, and the Aurora branch would carry the route into Chicago. Galesburg was called upon to raise the sum of \$300,000 to convince the capitalists that it really wanted the railroad connection with Chicago. The task of raising this much money from a small prairie town was tremendous, but its citizens succeeded. Work proceeded from the eastern end and in December 1854, the first train pulled into Galesburg. In 1856 came the consolidation of these roads with several others into the Chicago, Burlington and Quincy Railroad.

The advent of the railroad brought population and prosperity to Galesburg. Farm products now could be shipped to Chicago and other markets, and conversely the town now became a distributing point for merchandise, farm machinery and other equipment. Knox College and other schools attracted students and visitors from all sections of the United States. Indicative of the wealth of Knox County, the greatest proportion being in Galesburg, is the abstract of assessment of property for the year 1854, which shows a value of \$4,443,271, with personal property valued higher than real estate.<sup>1</sup> Another index of the increase in the wealth of the county is found in a comparison of the tax collector's reports for 1844 and 1855, which show for the former year collections amounting to \$3,137.30,<sup>2</sup> and for the latter year, total taxes of \$69,349.47.<sup>3</sup>

#### Controversy on Removal of County Seat

The stage was now set for the long drawn out fight to move the county seat from Knoxville to Galesburg. The leader of the Galesburg faction was W. Selden Gale, son of the founder of Galesburg, and the first super-

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1. County Commissioners' Court Record (County Court Record), v. 5, p. 63. (See entry 2, this inventory)
  2. *Ibid.*, v. 3, p. 271.
  3. Supervisors' Record, v. A, p. 94. (See entry 2, this inventory)



visor elected to represent the present Galesburg township in 1853. Although the entire county board was arrayed against him in the beginning, Gale fought determinedly on. The strategy employed by him in this conflict is best revealed in a history of Knox County edited by him and his grandson, George Candee Gale:

"In the Constitutional Convention of 1862, a proposition of W. Selden Gale, delegate from Knox, to give to County Boards the power to call elections for county seat removals was adopted, but left out in final revision, as possibly endangering the popular vote in some localities on the adoption of the proposed new organic law. The hope was that, by taking such action away from the Legislature, the question might be eliminated as a disturbing element in political conventions, relegating it to its proper place as a purely county issue... In the session of 1863, an act was introduced applying the principle to Knox County, but before final passage an amendment limited its operation to two years, thereby destroying its value to the people of Galesburg, since no one contemplated or desired an election at that time.<sup>1</sup>

"In the session of 1865, under the influence of some enthusiastic and sanguine citizens of Galesburg, an act was passed providing for the removal of the seat of government of Knox County, if such change were favored at an election to be held April 4, 1865.<sup>2</sup> An active effort to carry the election was promptly put on foot. A gift to the county of \$75,000, to be used in constructing a courthouse, was pledged, and secured by a bond, executed by many of the wealthiest men in Galesburg. A building site without cost was promised. Plans for an elegant building, with jail included, to cost not more than \$75,000, were procured and exhibited. Liberal (and even irresistible) as the offer appeared to those proffering it, it met with a cold reception in the county. Every town except Galesburg and one other voted against it, most of them by a large majority."<sup>3</sup>

Supervisor Gale, on January 9, 1866, presented to the board a petition from the citizens of Galesburg asking for a division of the town of Galesburg; division was established and called the Town of West Galesburg.<sup>4</sup> Care was taken to draw the line of division through the center of the city of Galesburg so that there would be an equal number of voters in each town.

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1. Historical Encyclopedia of Illinois and Knox County, p. 638. The act referred to was an act to enable the people of the county of Knox to remove their county seat. In force February 2, 1863. L.1863, p. 54. See also an act to authorize the City of Galesburg to borrow money, to be appropriated for the erection of county buildings. In force February 14, 1863. Private L.1863, p. 173.
  2. Private L.1865, v. 1, p. 548. An act to enable the people of the county of Knox to vote upon the removal of the county seat. In force February 14, 1865.
  3. Historical Encyclopedia of Illinois and Knox County, p. 638.
  4. Supervisors' Record, v. B, p. 200,204. (See entry 2, this inventory)



E. B. Rhea, supervisor from Salem township on April 30, 1866, challenged the right of supervisors from the towns of Galesburg and West Galesburg to take seats on the board; and on May 1st a committee reported that the towns of Galesburg and West Galesburg were each entitled to a supervisor and an assistant supervisor.<sup>1</sup> Gale prepared a bill making the city of Galesburg one town and the remainder of the township another, and had it introduced in the legislature, where it was passed February 27, 1867.<sup>2</sup> Through the provisions in section eight of this act, one supervisor was secured to the town of Galesburg and five to the city. Mr. Gale resigned from the board of supervisors in 1868 to become a candidate for the legislature, purely on the county seat issue. Elected by a small majority, he proceeded at once to introduce a bill providing for the removal of the county seat. The bill passed March 10, 1869.<sup>3</sup> Section six of the act provided that five commissioners be appointed by the board of supervisors, and that this body be authorized to contact the city of Galesburg and other persons for gifts of property, money, or services, conditioned upon the removal. These commissioners were appointed at a meeting of the board, March 23, 1869.<sup>4</sup> At this same meeting, a vote taken on the removal of the county seat from Knoxville to Galesburg showed 14 for and 9 against. At last W. Seldon Gale had succeeded in winning the support of the board.

Again referring to the history edited by Mr. Gale: "On March 25, the commissioners reported to the County Board an ordinance of the city of Galesburg, and submitted a bond, signed by the Mayor, and authorized by such ordinance, for the performance of the stipulations: - The city to provide for the county, free of expense, Dunn's Hall (or other suitable rooms) for court and jury rooms for the period of ten years; to convey to the county a site for a clerk's office, and erect thereon a fireproof building, to be larger than the one at Knoxville, the plans for the same to be approved by the county; to pay all expenses of removal; to convey a suitable lot for the erection of a jail and to pay \$20,000 towards the cost of building it, to convey, as a site for a courthouse, Block 39, conditioned on its being occupied for that purpose; and to grant the right to build a courthouse on the public square. The commissioners also reported deeds delivered to them for Block 39 and a lot for a jail, also two certificates of deposit in the First National Bank of Galesburg, each for \$10,000. The report was printed and scattered broadcast throughout the county, and the voters were thoroughly canvassed, within the limited time allowed, by able advocates on both sides."<sup>5</sup>

An abstract of votes of the election held April 6, 1869, in the several towns and city of Galesburg of Knox County for removal of the county seat to Galesburg, showed 4,212, for removal, and 4,459, against; 90 blank

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1. Supervisors' Record, v. B, p. 215, 224. (See entry 2, this inventory)
  2. Private L.1867, v. 3, p. 411.
  3. L.1869, p. 153.
  4. Ibid. 1, p. 452.
  5. Historical Encyclopedia of Illinois and Knox County, p. 639.



votes were cast.<sup>1</sup> The excitement that followed is best described in the words of Earnest Elmo Calkins: "Immediately there was uproar and recrimination. Galesburg cried 'fraud'; Knoxville retorted 'fraud yourself!' Galesburg excitedly pointed out that Knoxville's vote was three times the average vote of the township. Where did it get all those citizens? Knoxville shrugged her shoulders, replied the town had grown, and wanted to know why Galesburg's vote was at least a fourth larger than normal. It was evident that both sides had 'stuffed' the ballot boxes, Knoxville successfully. Knoxville had guessed Galesburg would do that and prepared to beat her at her own game, arguing that both returns would be thrown out, and she would win on the county vote, which was overwhelmingly in her favor. She guessed right, but argued wrong."<sup>2</sup>

A resolution was adopted by the board of supervisors, May 10, 1869, that a committee be appointed to investigate the result of the election; and May 11th the committee made a lengthy report with several affidavits attached; also the sheriff served a summons upon the board of supervisors, James J. Egan (county clerk), James W. Temple (circuit clerk), and Dennis Clark (county judge), in the chancery suit of George Davis vs. the above named officials.<sup>3</sup> The story is told at greater length by Calkins:

"The supervisors met and canvassed the vote, over protests from the Knoxville contingent that such a step was illegal, that supervisors had no authority to take such action. A committee was appointed, three from Galesburg, two from Knoxville, to investigate the report.<sup>4</sup> The report was presented, finding that Knoxville's legal vote was 639 instead of 1,520, deducted the 884 illegally cast, and changed the result from a majority of 247 against to 634 in favor of the removal. It whitewashed Galesburg completely, pointing out the growth brought by the railroad, and that rival candidates in the city had watched the polls closely, and that no frauds were possible...

"Upon which a summons was served on the entire board of supervisors to appear at the June term of the circuit court to answer to a bill of complaint brought by a taxpayer, really a test case that had been cooked up to settle the matter... The court found that while Galesburg had sinned, Knoxville had sinned more; that the election in that township was illegal, false, fraudulent, and void; that even with the Galesburg illegal votes thrown out Galesburg still had a majority of 200, that while both sides had evidently cheated, Knoxville had cheated most, and that therefore Galesburg had won. The decision contained permission to appeal...<sup>5</sup>

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1. Supervisors' Record, v. B, p. 454. (See entry 2, this inventory)
  2. Earnest Elmo Calkins, They Broke The Prairie, p. 317,318.
  3. Ibid. 1, p. 459, 469-76.
  4. See Appendix, A.
  5. See Appendix, B. One of the issues raised in the appeal, however, resulted in a Supreme Court ruling, which affected the naturalization jurisdiction of all county courts in Illinois, and courts similarly organized in other states. See Appendix, C.





"The Illinois Supreme Court (January term 1872),<sup>1</sup> while it reduced the votes of both Knoxville and Galesburg, making the majority 100, confirmed the finding of the lower court. Galesburg went wild with joy. At the next meeting of the board of supervisors, steps were taken to start the removal and begin the building of the jail. They were stopped by an injunction.<sup>2</sup> A long and bitter protest from Knoxville was read to show that the supreme court had reduced Knoxville's vote to 311, whereas it had and could prove a legal vote of 700, which would drown Galesburg's meager 100 allowed by the same court. The protest was spread on the minutes, but that was all that was done about it. The injunction was dissolved.

"Knoxville gave up the fight to prove the election illegal, conceded the success of Galesburg, and instead managed to secure a new election, this time to move the county seat from Galesburg back to Knoxville. The second election was held. Watchers from the two towns involved were posted at the opponents' polls to insure integrity. The contest was close, 3,785 to 3,309, Galesburg winning by 476. Geographically the county was for Knoxville since of the twenty townships only six sided with Galesburg. Galesburg won solely by her own vote. The closeness of the decision caused friction in the board for many years, during all the time of building the new courthouse, and delayed its commencement for fifteen years after the decision was made."<sup>3</sup>

#### Removal of Records to Galesburg

While the commissioner of public buildings reported to the board September 14, 1869, that the mayor and aldermen of the city of Galesburg had built a fireproof building for use of the county and circuit clerks which would be ready whenever the board should order the removal of the records and papers,<sup>4</sup> it was not until January 30, 1873, that such resolution was adopted. The clerks and sheriff were ordered to remove the books, papers and furniture to the city of Galesburg, and to send all bills for expenses to the city of Galesburg.<sup>5</sup> Another resolution adopted at this January meeting was for adjournment, and ordered the board to meet in four weeks time at the county clerk's office in the city of Galesburg. This meeting took place February 27, 1873, forty-one years and six months

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1. Norman L. Freeman, reporter, Illinois Reports, "Board of Supervisors of Knox County et al. vs. George Davis et al." (Springfield, 1874), LXIII, 407.
  2. Removal of the county seat did not take place until February 1873, when an injunction was issued against the building of the jail by Circuit Judge Thomas F. Tipton of McLain County; see Supervisors' Record, v. C, p. 191, March 13, 1873; for protest see same volume, pages 193-95. This was the second meeting in Galesburg, the first being February 27th. For abstract of votes of November 11th election to decide removal back to Knoxville, see same volume, p. 283.
  3. Earnest Elmo Calkins, They Broke The Prairie, p. 318, 319.
  4. Supervisors' Record, v. B, p. 486. (See entry 2, this inventory)
  5. Ibid., v. C, p. 170.



after the county commissioners first met September 17, 1831, in the new log courthouse at Knoxville, then called Henderson.

#### New Courthouse

But Galesburg did not immediately secure a courthouse. A resolution adopted April 15, 1873, shows that the board of supervisors was to hold its regular meetings at the Opera House.<sup>1</sup> Not until April 17, 1884 was a resolution adopted appointing a committee on public buildings whose duty it was to prepare plans for the building of a courthouse; on October 24th final bids were opened and that of Dawson & Anderson, amounting to \$114,311.52 for stone construction was accepted.<sup>2</sup> The first meeting of the board of supervisors in the new courthouse was held January 11, 1887.<sup>3</sup> The total amount expended on the courthouse including furniture, fixtures, equipment, and the improvement of the grounds was \$156,261, as shown in a report by the county clerk to the board of supervisors, September 11, 1889.<sup>4</sup>

#### Lincoln and Douglas Debate

Permission granted by the board of supervisors, September 8, 1903, to the Mother Bickerdyke Memorial Association to erect a statue in her honor on the courthouse grounds,<sup>5</sup> recalls the days of the Civil War and events in the lives of Abraham Lincoln and Stephen A. Douglas. Mother Bickerdyke, and this was the only name by which she was known, was a second Florence Nightingale who visited camps and hospitals doing what she could for the soldiers of the North. One of her memorable acts was to return to Knox County, and with the help of different women's organizations, to assemble two hundred cows and one thousand chickens, which she took to Memphis for the Union Army.

Stephen A. Douglas probably was better acquainted with Knox County than Abraham Lincoln. Douglas was a justice of the supreme court and traveled the 5th judicial district as circuit judge from 1841 to 1843. Three of the circuit court dockets with court orders written out by Judge Douglas are among the records preserved by the circuit clerk.<sup>6</sup> Galesburg also was the scene of one of the famous Lincoln-Douglas debates. The debate was held October 7, 1858, on a platform constructed at the northeast corner of the principal building of Knox College. This building was for men students and was erected in the years 1856 and 1857. This college hall, now known as "Old Main" (for illustration, see cover), is still standing, and was set aside as a National Historical Shrine shortly after an enabling act to provide for the preservation of American historical sites, buildings, was passed by Congress in 1935. Galesburg was a particularly well chosen city for a debate on the question of slavery. Its citizens were strongly

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1. Supervisors' Record, v. C, p. 216. (See entry 2, this inventory)
  2. Ibid., v. E, p. 220, 282-84.
  3. Ibid., v. F, p. 532.
  4. Ibid., v. G, p. 232.
  5. Ibid., v. L, p. 12.
  6. See Judge's Docket, entry 231, this inventory.



opposed to slavery, and it was known as an important station on the Underground Railroad which helped slaves escape to Canada.

### Patriotism of Knox County

Knox County's attitude in the prosecution of the Civil War may be gleaned from the resolution passed by the board of supervisors, May 13, 1861, which required the sheriff to erect a suitable standard with the flag of the American Union thereon, the same to be displayed during the sessions of the board and circuit court as evidence of devotion to the Constitution, the Union, and the enforcement of the laws.<sup>1</sup> But Knox County did more than this; in furnishing men and money, it more than exceeded its quota. Bounties were granted to first volunteers, and to those who volunteered for three years; provision also was made for the care of the families of these volunteers. The same patriotic spirit was shown in the World War when on June 11, 1917, \$5,000 was appropriated to the Knox County Chapter of the American Red Cross.<sup>2</sup>

### Present Status

Because of its excellent soil, Knox County's main interest has always been agriculture. While corn is the principal crop, there is also much diversified farming, and lately dairying has forged to the front. One of her citizens, Harvey Henry May who came to Galesburg in 1837, is credited with inventing the steel plow. On the industrial side, one of the largest paving brick manufacturing plants in the United States is found in East Galesburg. Another rich source of labor and income to the people of Knox County is the large yards and tie-treating plant maintained by the Chicago, Burlington & Quincy Railroad at Galesburg. Several thousand people find steady employment here and the wages paid monthly amount to hundreds of thousands of dollars. The Santa Fe is another principal railroad passing through Galesburg. Galesburg is also known as a shipping point for horses and mules; it has been called the mule capital of America. With an estimated present population of 30,000, Galesburg is the largest city in the county, and serves as the shopping center for a fifty mile radius. Knox County has an area of seven hundred and twenty square miles, and is bounded on the north by Henry County, on the east by Stark and Peoria Counties, on the south by Fulton County, and on the west by Warren and Mercer Counties. Its population at the time of the Fifteenth Census, April 1, 1930, was 51,336.

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1. Supervisors' Record, v. A, p. 395. (See entry 2, this inventory)

2. Ibid., v. T, p. 11.



# MAJOR CHANGES IN KNOX COUNTY BOUNDARIES



1825 - 1831



1831 - 1839



1839 - --.





ROSTER OF COUNTY OFFICERS\*.

(Date after name of officer refers to  
date of commission, unless otherwise stated)

County Commissioners\*\*

(Subsequent to 1849, county commissioners replaced  
by county judge and two associate justices until  
1853, when county board of supervisors assumed  
administration of county business)

Riggs Pennington, Philip Hash,  
Alexander Frakes, August 2, 1830\*\*\*  
Thomas Maxwell,  
March 26, 1831  
James Ferguson, Alfred Brown,  
John D. Rountree, August 6, 1832  
James Ferguson, Jonathan Rice,  
Joseph Rowe, August 4, 1834

James Ferguson, Eldert Runkle,  
Joseph Rowe, August 1, 1836  
John H. Wentworth, Jonathan Rice,  
John Jackson, August 6, 1838\*\*\*\*  
Jonathan Rice,  
August 5, 1839  
Asa Haines,  
August 3, 1840

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\* This list was compiled from the following sources:

1. Secretary of State. Index Department, Election Returns.  
Returns from County Clerk to Secretary of State, 1809-47,  
78 volumes (1-78), third tier, bay 1. 1848--, 53 file  
drawers (2-54), third tier, bay 2, State Archives Building,  
Springfield, Ill.
2. Secretary of State. Executive Department.  
Certificates of Qualification, 1819--. 22 file drawers (1-22),  
fourth tier, bay 5, State Archives Building, Springfield, Ill.
- 3.(A) Secretary of State. Executive Department Official Records.  
List of Commissions Issued to County Officers, 1809-1918, 5  
volumes, fourth tier, bay 6, State Archives Building, Spring-  
field, Ill.  
(B) Secretary of State. Executive Department Official Records.  
List of Commissions Issued to County Officers, 1869--, 4  
volumes, room 208, second floor, Secretary of State's office,  
Executive Department, State Capitol Building, Springfield, Ill.

\*\* All dates after commissioners' names indicate the year elected.

\*\*\* Riggs Pennington, Philip Hash and Dr. Charles Hansford had been elected  
commissioners, July 3, 1830, to serve until their successors were cho-  
sen; by law, commissioners were to be elected in August of alternate  
years; the county being organized in 1830, held a regular election  
in August; Dr. Hansford was not a candidate, the fourth was Thomas  
Maxwell.

\*\*\*\* By a law passed in 1837, the three commissioners elected in 1838 drew  
lots for one, two, and three years to determine their length of term.  
Subsequently, one commissioner was elected each year to serve a three-  
year term.



County Commissioners (cont.)

Samuel B. Anderson,  
August 2, 1841  
Amos Ward,  
August 1, 1842  
Daniel Meek,  
August 9, 1843  
Samuel B. Anderson,  
August 5, 1844  
Martin B. Mason,  
August 4, 1845

Amos Ward, Marraweather Brown,  
(to fill vacancies), Alfred  
Brown, August 3, 1846  
Amos Ward,  
August 2, 1847  
Marraweather Brown  
August 7, 1848  
(Marraweather Brown, Alfred Brown,  
Amos Ward the last county  
commissioners)

County Board of Supervisors

(The several township supervisors, one elected from each township, together with any additional and assistant supervisors elected upon proportional representation, make up the membership of the county board of supervisors. Because these supervisors as individuals are township officials, and only as a group constitute the county board, they are not commissioned by the State as county officers, and no data concerning them, from which a list could be compiled, are kept by the State. For names of township supervisors comprising the first legal board of county supervisors, see Historical Sketch, p. 22)

County Clerks

(Clerk of the county commissioners' court, of the county and probate courts, and of the county board of supervisors)

County Commissioners' Court

Henry J. Runkle,\*  
August 7, 1837,  
August 5, 1839,  
August 9, 1843 (Dates Elected)  
Zelotes Cooley,  
August 2, 1847 (Date Elected)

John S. Winter,  
November 12, 1869,  
November 18, 1873,  
December 1, 1877

Albert J. Perry,  
December 1, 1882,  
December 6, 1886

Moses O. Williamson  
November 26, 1890,  
November 20, 1894,  
November 28, 1898 (Resigned  
December 11, 1900)

County Court

(Prior to Township Organization)

Zelotes Cooley,  
November 23, 1849

County Court, Board of Supervisors

Zelotes Cooley,  
December 1, 1853  
John S. Winter,  
November 25, 1857,  
November 16, 1861  
James J. Egan,  
November 27, 1865

Frank L. Adams,  
January 12, 1901,  
May 23, 1901,  
November 24, 1902,  
November 27, 1906,  
November 30, 1910,  
November 27, 1914,  
November 30, 1918

\* For names of earlier, appointed clerks of County Commissioners' Court, see Historical Sketch, p. 10, 11.



## County Clerks (cont.)

Fred G. Halloway  
September 27, 1921

George A. Larson,  
November 27, 1922,  
November 29, 1926,  
November 4, 1930 (Date Elected)  
November 6, 1934 (Date Elected)

Recorders  
(In 1849 the circuit clerk  
became ex-officio recorder)

John G. Sanburn,  
January 17, 1831  
George Newman,  
August 24, 1835,  
August 17, 1839,  
August 17, 1843

Lorenzo D. Montgomery,  
August 25, 1847

Probate Judges and Probate Justices of the Peace  
(In 1849, probate justices succeeded by county  
judge as ex-officio judge of the probate court)

Probate Judges  
John G. Sanburn,  
February 10, 1831  
Henry P. Runkle,  
October 24, 1835,  
February 17, 1837

Probate Justices of the Peace  
Robert L. Hannaman,  
September 11, 1837  
William King,  
August 29, 1839  
Robert L. Hannaman,  
August 31, 1843,  
August 25, 1837

## County Court Judges

George C. Lanphere,  
November 23, 1849,  
November 20, 1850  
H. C. Reynolds,  
December 1, 1853  
Leander Douglass,  
November 25, 1857  
Alfred M. Craig,  
November 16, 1861  
Dennis Clark,  
November 28, 1865,  
November 12, 1869,  
November 18, 1873,  
December 1, 1877,  
December 1, 1882  
Patrick H. Sanford,  
December 6, 1886,

November 20, 1890,  
November 23, 1894  
Philip Sidney Post,  
November 19, 1898  
J. D. Welsh,  
November 24, 1902  
R. C. Rice,  
November 27, 1906,  
November 30, 1910,  
November 27, 1914 (Resigned)  
W. C. Frank,  
December 6, 1917,  
November 30, 1918  
Edward S. Stickney,  
November 27, 1922  
Riley E. Stevens,  
November 29, 1926



## County Court Judges (cont.)

Rodney L. Stewart,

November 4, 1930, November 6, 1934 (Dates Elected)

## Circuit Court Clerks

(Prior to 1848, circuit clerk appointed by circuit judge\*)

J. Judson Hale,  
September 4, 1848 (Date Elected)Hiram T. Morey,  
November 23, 1852Cephes Arms,  
November 15, 1856John H. Lewis,  
November 14, 1860John Aberdein,  
November 29, 1864James W. Temple,  
November 17, 1868George L. Hannaman,  
November 16, 1872,November 27, 1876,  
December 1, 1880Josiah Gale,  
November 28, 1884,  
December 3, 1888 (Deceased)George W. Gale,  
September 6, 1889 (Appointed)Charles G. Gibbs,  
October 23, 1889 (Deceased)Samuel V. Stuckey,  
February 10, 1890 (Appointed),  
November 20, 1890,  
November 23, 1892,  
December 7, 1896,  
November 30, 1900,  
December 1, 1904Charles H. Westenberg,  
November 23, 1908,  
November 27, 1912,  
December 2, 1916,  
November 29, 1920,  
November 25, 1924,  
November 28, 1928,  
November 8, 1932 (Date Elected)Klaus Nordgren,  
November 3, 1936 (Date Elected)

## Sheriffs

Stephen Osborn,  
July 19, 1830,  
August 21, 1830,  
September 5, 1832Henry D. Bell,  
August 29, 1834,  
April 3, 1837Peter Frans,  
August 21, 1838,  
August 26, 1840,  
August 11, 1842,  
August 19, 1844Henry Arms,  
August 27, 1846,  
August 17, 1848Samuel W. Brown,  
November 20, 1850John Eads,  
November 23, 1852Cornelius Runkle,  
November 17, 1854George W. Enko,  
November 15, 1856Andrew Thompson,  
November 24, 1858Elijah C. Brott,  
November 14, 1860I. Calvin Cover,  
November 13, 1862James Soles,  
December 8, 1864David W. Bradshaw,  
November 13, 1866Wilkins Seacord,  
November 17, 1868Sam'l F. Patten,  
November 23, 1870

\*The three circuit clerks appointed by the circuit judge, 1830-47, were:  
John G. Sanburn, 1830-45; Achilles Shannon, 1845-46; Alex Sanders, 1846-47.





## Sheriffs (cont.)

A. (August) W. Berggren,	Robert G. Mathews,
November 16, 1872,	November 27, 1906
November 27, 1874,	Frank H. Hooker,
November 27, 1876,	April 10, 1908
December 2, 1878	Frank F. Seaman,
John A. Stuckey,	November 30, 1910
December 1, 1880,	Frank H. Hooker,
December 1, 1882	November 29, 1914
James Richey,	James T. Wheeler,
December 6, 1886	November 30, 1918
Robert G. Mathews,	Louis A. Wilson,
November 26, 1890	November 27, 1922
Owen J. Aldrich,	Frank H. Hooker,
November 20, 1894	November 29, 1926
Robert G. Mathews,	Louis A. Wilson,
November 25, 1898	November 4, 1930 (Date Elected)
Charles F. Hurburg,	Elgin Ross,
November 24, 1902	November 6, 1934 (Date Elected)

## Coroners

Peter Bell,	Joseph Henderson,
July 19, 1830	November 20, 1850
Robert Nance,	Jacob W. Brewer,
August 21, 1830	November 23, 1852
John D. Rountree,	Joseph Henderson,
April 27, 1831	November 17, 1854
James Goff,	Wm. Hamilton,
September 5, 1832	November 15, 1856
William Flecharty,	Alvin H. Potter,
August 29, 1834	November 24, 1858
William McGowan,	Reuben Bailey,
August 29, 1835	November 14, 1860
Alexander M. McKee,	Giles Cook,
August 27, 1838	November 13, 1862
Walker L. Bean,	Levi Massie,
August 15, 1840	January 6, 1865,
Charles Hansford,	November 13, 1866,
August 11, 1842	November 17, 1868
Stephen Porter,	Jesse W. Kimball,
August 17, 1844, (Two entries	November 23, 1870
August 19, 1844 as per book)	Albert S. Slater,
Cornelius Dempsey,	November 16, 1872,
August 27, 1846	November 27, 1874
Reuben Bailey,	Dorrance W. Aldrich,
August 23, 1848	November 27, 1876



## Coroners (cont.)

Albert S. Slater,	Alexander F. Stewart,
December 2, 1878	December 1, 1904
Dorrance W. Aldrich,	Geo. S. Chalmers,
December 1, 1880	November 23, 1908,
Albert S. Slater,	November 27, 1912 (Deceased)
December 1, 1882	Geo. L. Bower,
Dorrance W. Aldrich,	January 19, 1915,
December 1, 1884 (Resigned)	December 2, 1916,
Gilbert L. Knowles,	November 29, 1920,
January 21, 1888,	November 25, 1924,
December 3, 1888	November 29, 1926,
Geo. S. Chalmers,	November 6, 1928 (Date Elected),
December 23, 1892,	November 8, 1932 (Date Elected),
December 7, 1896,	November 3, 1936 (Date Elected)
November 30, 1900	

## State's Attorneys

(Prior to 1849 elected by General Assembly;  
1849-72, elected by circuit district electorate)

John T. Tunnickliff,	Addison J. Bontelle,
November 29, 1872,	November 23, 1908,
November 27, 1876,	November 27, 1912,
December 1, 1880,	December 2, 1916,
November 28, 1884,	November 29, 1920
December 3, 1888	R. C. Rice,
Eugene W. Welch,	November 25, 1924,
November 23, 1892,	November 28, 1928
December 7, 1896	Robert C. Rice,
Addison J. Bontelle,	November 8, 1932 (Date Elected)
November 30, 1900,	Eugene Hardy,
December 1, 1904	November 3, 1936 (Date Elected)

## County Treasurers

(Assessor and treasurer to 1839 and 1844 to 1853\*)

John Eads,**	Charles Rogers,
August 7, 1837,	November 6, 1849 (Date Elected)
August 5, 1839 (Dates Elected)	David Edgerton,
Henry Arms,	November 4, 1851 (Date Elected)
August 9, 1843 (Date Elected)	William H. Whitton,
Resigned; Zelotes Cooley appointed	November 8, 1853 (Date Elected)
in his stead, September 8, 1846	William McGowan,
David Edgerton,	November 6, 1855,
August 2, 1847 (Date Elected)	December 5, 1857 (Dates Elected)

\* For assessment procedure, 1839-44, 1853 to date, see p. 42, 43, 156, 157.

\*\* First three treasurers, 1830-36, appointed; see Historical Sketch, p. 14.



## County Treasurers (cont.)

George Davis, November 16, 1859	John M. McKie, November 20, 1894
Thomas A. E. Holcomb, November 5, 1861 (Date Elected)	Harry M. Reece, November 25, 1898
John A. West, November 3, 1863 (Date Elected)	Ames A. Barlow, November 24, 1902
Thomas Harrison, November 7, 1865 (Date Elected)	Omer N. Custer, November 27, 1906 (Resigned)
Homer Gaines, November 5, 1867 (Date Elected)	George M. Clark, February 8, 1909, June 17, 1909
Edwin T. Ellett, November 2, 1869 (Date Elected)	Geo. J. Eastes, November 30, 1910
Francis M. Sykes, December 2, 1871	Henry G. Hawkinson, November 27, 1914
Edwin Ellett, November 18, 1873	Herbert N. Bloomquist, November 30, 1918
James L. Birkhalter, November 8, 1875, December 1, 1877, December 1, 1879, December 1, 1882	Andrew O. Lindstrum, November 27, 1922
Moses O. Williamson, December 6, 1886	Donald W. Larson, November 29, 1926
Leon A. Townsend, November 26, 1890	Carl T. Goethe, November 4, 1930 (Date Elected)
	William J. English, November 6, 1934

Superintendent of Schools  
(School Commissioners to 1865)

Curtis K. Harvey,* August 2, 1841, August 9, 1843, August 4, 1845 (Dates Elected)	James H. Knapp, November 16, 1861, November 3, 1863 (Date Elected), November 28, 1865 (First Superintendent of Schools)
Achilles Shannon, August 2, 1847 (Date Elected)	Frederick Christianer, November 12, 1869
Wm. H. Whitton, November 6, 1849, November 4, 1851 (Dates Elected)	Mary Ellen West, November 18, 1873, December 1, 1877
James H. Noteware, February 28, 1854	William L. Steele, December 1, 1882
Patrick H. Sanford, November 6, 1855, December 5, 1857, November 16, 1859	.

\* Prior school commissioners appointed were: Abraham D. Swartz, September 5, 1831; William McMurtry, September 14, 1832; and Curtis K. Harvey, March 3, 1840. See Historical Sketch, p. 16.



## Superintendent of Schools (cont.)

Geo. W. Oldfather,	Walter F. Boyes,
September 1, 1885 (In place of	November 24, 1902,
Steel resigned)	November 27, 1906,
December 6, 1886	November 30, 1910,
Shirley C. Ranson,	November 27, 1914,
November 26, 1890	November 30, 1918,
Mathew Andrews,	October 1, 1923,
December 20, 1892 (In place of	November 29, 1926,
Ranson resigned)	November 4, 1930 (Date Elected)
November 20, 1894	James Dewoy McKibben,
Ernest Wilkinson,	November 6, 1934 (Date Elected)
November 25, 1898	

## Surveyor

(Beginning September, 1936, Surveyor appointed by county board of supervisors)

Parnach Owen,	David Wiltse,
February 15, 1831	November 12, 1869
George A. Charles,	Wm. H. Robinson,
August 24, 1835	December 2, 1871
David Kendel,	Henry J. Vaughan,
August 17, 1839	November 8, 1875
Lockhart Leighton,	Ralph Voris,
August 17, 1843	December 1, 1879,
Arthur A. Deany,	December 1, 1884
August 27, 1845,	Mills G. Voris,
August 25, 1847,	December 3, 1888
December 14, 1849	Cornelius S. Richey,
Elias T. Bryram,	November 23, 1892,
November 13, 1851	November 3, 1896 (Date Elected),
R. Heatherage,	November 30, 1900,
December 1, 1853	December 1, 1904,
Elias T. Bryram,	November 3, 1908 (Date Elected),
November 15, 1855	November 5, 1912 (Date Elected)
Alexander Knapp,	Arthur L. Richey,
November 15, 1857	December 2, 1916,
Elias T. Bryram,	November 2, 1920 (Date Elected)
November 16, 1859	Walter J. Dittenbaugh,
Ralph Voris,	November 4, 1924 (Date Elected)
November 16, 1861,	Shirley S. Scott,*
November 3, 1863 (Date Elected),	November 6, 1928,
November 28, 1865,	November 8, 1932 (Date Elected)
November 22, 1867	

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\* Also appointed 1936.





## 2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

### Introduction

The county in Illinois is a corporate body and an administrative unit of the state; its governmental organization is at all times largely an expression of this dual nature.

The growth of the county as a body politic is reflected, in each of the state's three constitutional periods, in a progressive expansion of the powers which may by law be exercised by the county board, and in the creation of new, and the extension of existing, county offices. The latter phase of growth in Knox County and others similarly organized at present, has also been affected by the adoption of township organization, which for the first time constituted the civil towns as an additional level of government.

An analogous development appears in the state's invasion of new fields of government and the extension of the county's role as its agent. Originally, the county performed but a single important function for the state, that of collecting its share of the taxes levied within the county. Since then, however, education, public health, registration of vital statistics, public assistance, and many similar if less important matters have entered the province of state control or supervision. To effect this control, new governmental units, subcounty districts of various types, have come into existence or been converted to new purposes; the county, because of its intermediate position, has become more important as a medium of that control.

Thus the complete operation of county government in Illinois brings into play a number of partly distinct authorities. Their relationships, at any time, are complex. The changing governmental organization of Knox County, therefore, is easiest traced from the viewpoint of the major functions of county government.

### General Administration

General administrative jurisdiction over county business has always been vested in the county board. Under the first constitution, for all counties, the county commissioners' court acted as such a body.<sup>1</sup> It was expressly declared to have no original or appellate jurisdiction in civil or criminal actions, but had all power necessary to the exercise of its jurisdiction in cases concerning the public affairs of the county collectively.<sup>2</sup> The commissioners were constitutional officers,<sup>3</sup> and elect-

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1. L.1819, p. 175,176.

2. L.1819, p. 176.

3. Constitution of 1818, Schedule, sec. 4.



ed;<sup>1</sup> the court existed solely by statutory provision.<sup>2</sup> Attached to it in a ministerial capacity was the independent statutory office of clerk of the county commissioners' court,<sup>3</sup> at first filled at the appointment of the court,<sup>4</sup> later by election;<sup>5</sup> the clerk was bonded in the sum of \$1000.<sup>6</sup>

Under the second constitution, the newly-created county court succeeded to the position of the county commissioners' court.<sup>7</sup> As an administrative body,<sup>8</sup> it was composed of the county judge, an elected, constitutional officer,<sup>9</sup> and two justices of the peace, statutory officers,<sup>10</sup> elected at large.<sup>11</sup> Another new office, that of clerk of the county court, was created to provide it with a ministerial officer; the clerk also was elected, and bonded in the sum of \$3000.<sup>12</sup>

The Constitution of 1848 also made provision, for the first time, for an optional plan of county government.<sup>13</sup> The subsequent enabling acts<sup>14</sup> provided that whenever the voters of a county might so determine, that county should adopt township organization; one of the principal results of such a change was to alter the legal status of the county board.<sup>15</sup> Knox County so elected in 1853, and the county court was succeeded by a board of supervisors, composed of members elected one in each of the several townships.<sup>16</sup> The clerk of the county court was required by law to act as the ministerial officer of the new county board.<sup>17</sup> In 1874, however, that clerk was replaced by a new officer, the county clerk, whose office had

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1. Constitution of 1818, Schedule, sec. 4; L.1819, p. 100; L.1821, p. 100; R.L.1837, p. 103,104.
  2. L.1819, p. 175.
  3. Ibid.
  4. Ibid.
  5. R.L.1837, p. 49; L.1845, p. 28.
  6. L.1819, p. 176,177.
  7. L.1849, p. 65.
  8. The county court was also a court of law. For its legal status and jurisdiction as such, see Administration of Justice, Courts, p. 45.
  9. Constitution of 1848, Art. V, sec. 17.
  10. L.1849, p. 65,66.
  11. Constitution of 1848, Art. V, sec. 1,16,19.
  12. L.1849, p. 66.
  13. Constitution of 1848, Art. VII, sec. 6.
  14. By 1853, when Knox County adopted township organization, the original enabling act (L.1849, p. 190-229) had been repealed by a more comprehensive, but essentially similar, law (L.1851, p. 35-78).
  15. Other effects of the change, within the sphere of county government proper, appear with regard to the legal status of certain officers involved in the taxation procedure. See Finances, p. 42.
  16. L.1851, p. 38.
  17. L.1851, p. 78.



been created, and made elective, by the third constitution.<sup>1</sup> The county clerk was required by law to act as ministerial officer for the county board,<sup>2</sup> which determined in what amount he should be bonded.<sup>3</sup> The only other significant change, under the present constitution, in the legal status of the county board, has been the addition to its membership of assistant supervisors, elected from the various towns on the basis of population;<sup>4</sup> the assistant supervisors have no power or duties as town officers, but are members of the county board and as such enjoy the same powers and rights as other members.<sup>5</sup>

Concurrent with the changing legal status of the county board is an expansion of its functions; without, however, considerable extension beyond the original jurisdiction conferred upon the county commissioners' court. The authority of that body extended to the imposition and regulation of taxes,<sup>6</sup> a limited but increasing management of county property, and a growing fiscal control, stringent with regard to tax collections,<sup>8</sup> sporadic in its check on the expenditures of other county offices.<sup>9</sup> The court additionally had power to appoint judges of election,<sup>10</sup> select juries,<sup>11</sup> and, with limitations, to provide for the construction and maintenance of roads and bridges.<sup>12</sup> Poor relief<sup>13</sup> and a tentative supervision of education<sup>14</sup> also fell within its general administrative jurisdiction.

The effect of subsequent legislation, in the main, has only been to broaden that jurisdiction. The county board has been given full power to purchase, contract for, dispose of, and regulate all real and personal

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1. Constitution of 1870, Art. X, sec. 8.
  2. R.S.1874, p. 260, 273.
  3. R.S.1874, p. 321.
  4. R.S.1874, p. 1080; L.1931, p. 908; L.1933, p. 1115, 1116.
  5. R.S.1874, p. 1080; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905, 907; L.1933, p. 1115.
  6. L.1819, p. 175.
  7. L.1819, p. 237, 238; L.1843, p. 128.
  8. L.1819, p. 238, 318; L.1823, p. 208; R.L.1827, p. 373, 375; R.L.1829, p. 121; L.1843, p. 112; L.1845, p. 11.
  9. R.L.1827, p. 366; L.1831, p. 175.
  10. L.1819, p. 80.
  11. L.1819, p. 255; L.1823, p. 182.
  12. Either by calling on the able-bodied men of the county for labor, or by raising bond issues by subscription. L.1819, p. 333, 334, 336, 337, 343; L.1821, p. 167; L.1825, p. 130, 133.
  13. L.1819, p. 127; L.1839, p. 138, 139.
  14. R.L.1845, p. 500, 501.



property of the county.<sup>1</sup> It is now required also to audit all claims against the county and the accounts of such officers as are not provided for by law.<sup>2</sup> In other respects its authority has been defined along similar lines, with only one new power conferred upon the county board.<sup>3</sup>

In Knox County, and others under township organization, the board early was given the power to make appropriations for the construction of roads and bridges.<sup>4</sup> This power, in counties otherwise organized, does not reside in the county board.<sup>5</sup> Otherwise, the change in Knox County from county commissioners' court to county court, and from the latter to the board of supervisors, has not materially affected the general administrative jurisdiction of the county board.

### Finances

In the sphere of finances, there has always been in the Illinois county a close relationship between the taxation processes and the fiduciary function. This circumstance, as well as frequent evidence of the county board's ultimate control in such matters, appears in a resume of the legal status and duties of the officers involved.

### Taxation

The assessment function in taxation was first performed in all counties by the county treasurer,<sup>6</sup> then a statutory officer appointed by the county board.<sup>7</sup> The board, within statutory limits, fixed the amount of the levy, while the value of many categories of real and personal property was fixed by law; a limited discretion was left to the assessing officer.<sup>8</sup> In 1839 the treasurer, who two years before had become an elected officer,<sup>9</sup> was relieved of this duty when the system was changed throughout the state. For several years, lists of taxable property, and assessments in this limited sense, were then made by district assessors appointed by the county board.<sup>10</sup> In 1844 the earlier system was reestablished,

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1. L.1851, p. 51,52.
  2. L.1851, p. 50.
  3. Compare this running summary with R.S.1874, p. 306, and R.L.1937, p. 910-12.
  4. L.1851, p. 50.
  5. R.L.1937, p. 916.
  6. L.1819, p. 315; R.L.1827, p. 328-36.
  7. L.1819, p. 315.
  8. L.1819, p. 313,319; L.1825, p. 173; L.1839, p. 4-6; L.1840, p. 4; L.1845, p. 6.
  9. R.L.1837, p. 274; L.1845, p. 28.
  10. L.1839, p. 4.





with the treasurer, however, now having the status of ex-officio county assessor.<sup>1</sup> Since Knox County's adoption of township organization in 1853, the assessment function has been performed on the lower governmental level, by town assessors elected one in each township;<sup>2</sup> the treasurer, after dropping completely out of the procedure for a time, has now the status of ex-officio supervisor of assessments.<sup>3</sup> Today the principal duties of the assessing officers, taken together, are to bring up to date each year the periodic assessment of real property, and take current lists of and appraise personal property and special categories of other property.<sup>4</sup>

The functions which today fall within the scope of the board of review were originally dispersed and attenuated. In the first constitutional period, it was left to interested individuals or parties to report property omitted from assessment; the county board could hear appeals from assessments, but there was no provision for their equalization by districts.<sup>5</sup> After the adoption of township organization, town boards were given power to revise the assessments within their own jurisdiction, and the county board was required to meet annually to assess omitted property, review assessments on complaint, and equalize valuations between towns.<sup>6</sup> In 1898 this authority of the county board was transferred to the newly-created board of review, composed of the chairman of the county board, ex-officio chairman, the county clerk, ex-officio clerk, and an additional member appointed by the county judge.<sup>7</sup> In 1923 the county clerk was replaced by another member appointed by the county judge;<sup>8</sup> the board of review now appoints its own clerk.<sup>9</sup>

The collection function was originally performed in all counties by the sheriff, an elected constitutional officer.<sup>10</sup> Its nature has changed little since that time. Essentially, the collecting officer collects taxes

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1. L.1843, p. 231.
  2. L.1851, p. 39.
  3. L.1898, p. 36-44.
  4. L.1853, p. 16, 17; L.1855, p. 18,24,55; L.1872, p. 11,14,15,19,23; L.1873, p. 51; L.1879, p. 241,242; L.1881, p. 133; L.1885, p. 234; L.1895, p. 40,41,45; L.1905, p. 360; L.1915, p. 568; L.1923, p. 495, 500; L.1927, p. 774; L.1932, p. 84.
  5. L.1819, p. 316; R.L.1827, p. 330; L.1839, p. 7; L.1843, p. 239; L.1845, p. 8; L.1849, p. 207,208.
  6. L.1871, p. 21,22.
  7. L.1894, p. 54.
  8. L.1923, p. 496; L.1932, p. 75.
  9. L.1923, p. 496,497.
  10. L.1819, p. 316.



according to information originating outside his jurisdiction, pays over such sums to authorities designated by statute to receive them, and reports on payments of taxes and failure thereof.<sup>1</sup> In 1839, by a development analogous to that which occurred with regard to assessments, the county board extended its control to appoint a regular county collector, and for the first time the officer of collection was required to be bonded.<sup>2</sup> Again the law soon reverted to the earlier situation, with the sheriff, however, now acting in an ex-officio capacity that continued to recognize the independence and separate importance of the office of collector.<sup>3</sup> This situation continued until Knox County adopted township organization, since which time town collectors have been elected one in each township,<sup>4</sup> and the county treasurer has been ex-officio county collector.<sup>5</sup> The town officers pay over their collections directly to the county officer, and supply the basic information for the latter's summary report of collections in the county.<sup>6</sup>

The entire taxation procedure, is brought together by the county clerk or, at the earlier dates, in turn by the clerk of the county commissioners' court and the clerk of the county court, prototypes of the county clerk in this capacity. The assessment books are made out by the clerk, and returned to him by the assessor; similarly the collector returns the collection books and reports on delinquent property; finally, the treasurer's receipts to the collector for taxes paid come into his possession, and the centralization of records concerning the basic taxation procedure is completed.<sup>7</sup>

### Fiscal Control

The fiduciary function in county finances belongs to the county treasurer alone. Only one change of importance has affected his legal status since those already noted in regard to his other functions: the office is now constitutional.<sup>8</sup> Bond was originally required in the sum

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1. L.1819, p. 316-18; L.1821, p. 182,183; R.L.1827, p. 332,333; R.L.1829, p. 118,121-23; L.1831, p. 125; R.L.1837, p. 581,582; L.1839, p. 7-12; L.1843, p. 243; L.1845, p. 11; L.1847, p. 81; L.1872, p. 55,57,58; R.S.1937, p. 2638-52.
  2. In a sum double the amount to be collected, and with such securities as should be approved by the appointing body. L.1839, p. 8.
  3. L.1843, p. 234.
  4. L.1851, p. 37,38.
  5. L.1853, p. 14; L.1871-72, p. 664.
  6. L.1872, p. 41,56,57.
  7. L.1819, p. 317; R.L.1827, p. 373; R.L.1837, p. 582; L.1839, p. 8-12; L.1840, p. 3; L.1845, p. 9,11; L.1853, p. 66,77,111; L.1871-72, p. 32; L.1872, p. 35,41,56-58; L.1873-74, p. 51; L.1911, p. 485; L.1917, p. 654; L.1919, p. 765; L.1931, p. 747.
  8. Constitution of 1870, Art. X, sec. 8.



of \$2000,<sup>1</sup> but since 1827 the penalty sum has been set by the county board, which is also judge of the sufficiency of the securities.<sup>2</sup> The duties of the office remain substantially the same as at its creation: to receive, principally from the collectors of taxes, the revenue of the county; keep custody of its funds; and disturb them only by specific authorization of law, or in accordance with the orders of the county board.<sup>3</sup> Through this last requirement, and that of the treasurer, to report periodically to the board on the transactions of his office, in addition to his regular settlement with it, the lines of financial authority once more lead to the county board.<sup>4</sup>

## Administration of Justice

### Courts

Justice, in Illinois counties, has been administered by a constantly increasing number of bodies. The Constitution of 1818 vested the judicial powers of the state in a supreme court and such inferior courts as the General Assembly should ordain, required the supreme court justices to hold circuit courts in the several counties, and provided for the appointment, in such manner and with such powers and duties as the General Assembly should direct, of a competent number of justices of the peace in each county.<sup>5</sup> Federal statutes already allowed circuit courts, in all states, jurisdiction over the naturalization of aliens;<sup>6</sup> the first state legislature additionally conferred jurisdiction over all causes at common law and chancery, and over all cases of treason, felony, and other crimes and misdemeanors.<sup>7</sup> The legislature further required that two terms of a circuit court be held in each county annually by one of the supreme court justices,<sup>8</sup> but in 1824 provision was made for separate circuit court judges, to be appointed, as were the supreme court justices, by both branches of the General Assembly, and to hold office during good behavior.<sup>9</sup> The authority of justices of the peace was limited by law to jurisdiction in

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1. L.1819, p. 318.
  2. R.L.1827, p. 329; R.S.1874, p. 323.
  3. L.1819, p. 315, 316; R.S.1845, p. 138; L.1861, p. 239; R.S.1874, p. 323,324.
  4. L.1819, p. 318; R.L.1837, p. 582,583; L.1845, p. 33; R.S.1845, p. 136,138,139; L.1861, p. 239,240; R.S.1874, p. 323,324.
  5. Constitution of 1818, Art. IV, sec. 1,4,8.
  6. U.S.S. at Large, 1799-1813, p. 153.
  7. L.1819, p. 380.
  8. L.1819, p. 378.
  9. L.1824, p. 41. The Constitution, which had required that supreme court justices be appointed by the General Assembly, further provided that they should not, after the first session of the legislature subsequent to January 1, 1824, hold circuit courts unless required to by law. (Art. IV, sec. 4).



specified civil cases and in misdemeanors, with appeals allowed from their judgments to the circuit court;<sup>1</sup> the power of appointment, the legislature at first reserved to itself.<sup>2</sup> In 1827, however, justices of the peace were required to be elected, two in each of such districts as should be determined within statutory limits by the county commissioners' court.<sup>3</sup> Jurisdiction over probate matters was at the outset delegated to the county commissioners' court.<sup>4</sup> By act of the next General Assembly, it was transferred to the court of probate,<sup>5</sup> consisting in each county of one judge appointed by the General Assembly.<sup>6</sup> As a result of the substitution, in 1839, of probate justices of the peace for the judges of probate,<sup>7</sup> jurisdiction over probate matters for the first time was placed in the hands of elected officers.<sup>8</sup>

The county court was the creation of the second constitution,<sup>9</sup> which also made circuit judges elected officers.<sup>10</sup> With regard to the new court, it was further provided by law that it should be held, in each county, by a single elected officer, the county judge.<sup>11</sup> Its authority was extended to jurisdiction in all probate matters, and to such jurisdiction in civil and criminal cases as might be conferred by the General Assembly.<sup>12</sup> In pursuance of this latter provision, the county court was first given the same civil and criminal jurisdiction as justices of the peace;<sup>13</sup> at the same session of the General Assembly, however, it was declared that county judges, when exercising this jurisdiction, acted only in the capacity of justices of the peace.<sup>14</sup> Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions;<sup>15</sup> it was, however, considered entitled to equal jurisdiction with

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1. L.1819, p. 185,192,195.

2. L.1819, p. 22.

3. R.S.1827, p. 255. Since 1821, however, the county commissioners' court had been required to establish such districts, which also constituted general election precincts (L.1821, p. 74). For changes in the statutory limitations of this power of the court, see R.L.1827, p. 255 and R.L.1829, p. 93.

4. L.1819, p. 19-22,223-30,301.

5. L.1821, p. 121.

6. L.1821, p. 119. The Constitution (Art. IV, sec. 4) had also designated this matter of election for judges of all inferior courts.

7. R.L.1837, p. 177.

8. The Constitution (Art. IV, sec. 8) had reserved to the General Assembly the right to prescribe the matter of appointment of justices of the peace. Cf. note 9, p. 45.

9. Constitution of 1848, Art. V, sec. 1,16.

10. Constitution of 1848, Art. V, sec. 7,15.

11. Constitution of 1848, Art. V, sec. 17.

12. Constitution of 1848, Art. V, sec. 18.

13. L.1849, p. 65.

14. L.1849, p. 17.

15. L.1849, p. 125,126; L.1853, p. 103; L.1861, p. 171,172.





the circuit court over naturalization.<sup>1</sup> In this same period, provision was made for increasing, on the basis of population, the number of justices of the peace to be elected in each district. In Knox County, and others similarly organized, one additional justice of the peace is now elected for every one thousand inhabitants exceeding two thousand inhabitants in each town.<sup>2</sup>

Provision was first made by the Constitution of 1870 for the establishment by the General Assembly of an independent probate court in each county having a population of more than fifty thousand inhabitants.<sup>3</sup> As first established by statute, the new courts were to be established in counties of one hundred thousand or more inhabitants.<sup>4</sup> The population of Knox County, not having reached this figure, jurisdiction over probate matters has continued to be vested in the county court in accordance with constitutional provision to that effect.<sup>5</sup> The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;<sup>6</sup> its original jurisdiction was extended to be equal with that of the circuit court in all that class of cases cognizable by justices of the peace<sup>7</sup> and involving in controversy sums not exceeding five hundred dollars.<sup>8</sup> In 1906, however, it lost its naturalization jurisdiction, since it failed to meet the additional requirements of Federal legislation that it possess jurisdiction at law without limitation upon amounts in controversy.<sup>9</sup> The present constitution, also, for the first time, directed the matter in which the General Assembly should establish judicial circuits, requiring that circuits be formed of contiguous counties and that they should not exceed in number one circuit for every one hundred thousand of population of the state.<sup>10</sup> At present there are seventeen circuits in Illinois, and Knox County is attached to the ninth circuit.<sup>11</sup>

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1. U.S.S. at Large, 1799-1813, p. 155; see also Appendix C.
  2. L.1854, p. 30. No more than five justices, however, may be elected from any town or election precinct.
  3. Constitution of 1870, Art. VI, sec. 20.
  4. L.1877, p. 79.
  5. Constitution of 1870, Art. VI, sec. 18.
  6. L.1895, p. 116, 173.
  7. The jurisdiction of justices has also been progressively increased during this period. See L.1872, p. 524; L.1895, p. 186, 187; R.L.1937, p. 1917, 1918, 1932.
  8. L.1871-72, p. 325.
  9. U.S.S. 1906, p. 596.
  10. Constitution of 1870, Art. VI, sec. 13.
  11. R.S.1937, p. 1011.



### Clerks of Courts

The clerk of the circuit court, it was provided by the Constitution of 1818, was to be appointed by that court or a majority of the justices thereof.<sup>1</sup> Since 1849, however, by provisions of the subsequent constitutions, the office has been filled by election.<sup>2</sup> The office of clerk of the county court, which was an independent elective office under the second constitution,<sup>3</sup> is now filled in an ex-officio capacity by the county clerk;<sup>4</sup> the latter officer is also required by constitutional provision to be elected.<sup>5</sup> The county commissioners' court, which for a brief period held jurisdiction over probate matters, had its own clerk, who was at that time appointed by the court.<sup>6</sup> Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.<sup>7</sup> With the transfer of probate jurisdiction to the county court, the clerk of the county court was required to keep, separately, records of probate proceedings and business.<sup>8</sup> In Knox County, where the county court still retains probate jurisdiction, the county clerk serves it in these matters, in his capacity as ex-officio clerk of the county court.<sup>9</sup> Justices of peace have always been required to keep their records in person.<sup>10</sup>

### Ministerial Officers

The principal ministerial officer of all courts of record in Illinois counties is the sheriff. The first constitution provided that the sheriff should be elected;<sup>11</sup> bond in the sum of ten thousand dollars was required by the enabling law that established the office,<sup>12</sup> and for Knox County the requirement has not since been altered.<sup>13</sup> Statutory provision was made in 1827 for the appointment of deputies by the principal officer;<sup>14</sup> since 1874,

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1. Constitution of 1818, Art. IV, sec. 6.
  2. Constitution of 1848, Art. V, sec. 21,29; Constitution of 1870, Art. X, sec. 8.
  3. Constitution of 1848, Art. V, sec. 19.
  4. R.S.1874, p. 260.
  5. Constitution of 1870, Art. X, sec. 8.
  6. L.1819, p. 175.
  7. L.1821, p. 120; R.L.1837, p. 429.
  8. L.1849, p. 66.
  9. R.S.1874, p. 260.
  10. L.1819, p. 185-97 (no specific record-keeping requirement listed among general duties of justices), 326 (establishing fees to be paid justices for keeping records); R.L.1827, p. 260 (becomes definite provision for justices to keep own records); L.1895, p. 221,222; R.S.1937, p. 1932.
  11. Constitution of 1818, Art. III, sec. 11.
  12. L.1819, p. 110.
  13. R.S.1874, p. 989; R.S.1937, p. 3012.
  14. R.L.1827, p. 373.



the consent of the circuit court has been required.<sup>1</sup> The ministerial duties of the sheriff have similarly undergone little change in more than one hundred years. Essentially he is to attend, in person or by deputy, all courts of record in the county, obeying the orders and directions of the court, and to serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.<sup>2</sup>

By a peculiar feature of early Illinois law, an anachronistic recognition of the once great powers of his office,<sup>3</sup> the coroner was originally given equal power with the sheriff as a ministerial officer of the courts.<sup>4</sup> Additionally he was required to serve all process in a suit in which the sheriff was an interested party,<sup>5</sup> and to perform all the duties of the sheriff when that office was vacant.<sup>6</sup> The last two functions are still incumbent upon the coroner today.<sup>7</sup>

Justices of the peace are similarly served in a ministerial capacity by constables. Not until 1870 was the office of constable given constitutional recognition;<sup>8</sup> at its creation by the first General Assembly, the county commissioners' court was empowered to appoint one or more constables in each township;<sup>9</sup> in 1827 it was provided that two constables should be elected in each justice of peace district.<sup>10</sup> Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.<sup>11</sup> Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;<sup>12</sup> process issuing from a justice of peace court, however, may be directed only to some constable of the same county.<sup>13</sup>

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1. R.S.1874, p. 989.
  2. L.1819, p. 111; R.S.1874, p. 990,991; R.S.1937, p. 1189,3013.
  3. For legal status of coroner, see Inquests, p. 50.
  4. L.1819, p. 111.
  5. L.1821, p. 20-23.
  6. R.L.1827, p. 372,373.
  7. R.S.1874, p. 282; R.S.1937, p. 780. Despite, however, the absence from the present law of statutory provisions for the coroner to serve process originally directed to him (R.S.1874, p. 281,282), the courts have held that he may so do, an emergency being presumed to exist without need for the process to recite reason for its issuance to the coroner (20 Ill. Sup. 185; 57 Ill. Sup. 268).
  8. Constitution of 1870, Art. VII, sec. 21.
  9. L.1819, p. 162.
  10. R.L.1827, p. 259.
  11. See Courts, p. 45.
  12. L.1819, p. 162,163; R.S.1874, p. 400; R.S.1937, p. 1189.
  13. L.1819, p. 186; L.1821, p. 152; R.S.1845, p. 317; L.1872, p. 525; L.1895, p. 186,187; R.S.1937, p. 1918. Similarly, process issuing from courts of record is required to be directed to the sheriff or, under certain conditions noted (notes 4, 5, and 6) to the coroner (R.S.1845, p. 413; L.1871-2, p. 338; R.S.1874, p. 774; L.1907, p. 444; L.1933, p. 786; R.S.1937, p. 2383).



### Prosecutions

The duty of the present state's attorney to prosecute and defend all actions, civil or criminal, involving the county or the people or officers of the state or county,<sup>1</sup> was incumbent during the first constitutional period upon the circuit attorney.<sup>2</sup> Also in effect from an early date is the office's other major duty, apart from the enforcement of law,<sup>3</sup> of giving opinions on any questions of law relating to criminal or other matters in which the people of the county may be concerned.<sup>4</sup>

The office of circuit attorney existed solely by statutory provision,<sup>5</sup> and was appointive, by the Governor until 1836,<sup>6</sup> thereafter by the General Assembly.<sup>7</sup> The second constitution replaced the circuit attorney with an elected state's attorney;<sup>8</sup> since each judicial circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer.<sup>9</sup> Not until the present constitution was provision made for the election of a separate state's attorney in each county.<sup>10</sup> Bond, originally set at one thousand dollars,<sup>11</sup> has been required in the sum of five thousand dollars since 1874.<sup>12</sup>

### Inquests

The holding of inquests, in Illinois counties one of the duties of the coroner, is also involved in the administration of justice. The office of coroner was created by the first constitution and required to be filled by election;<sup>13</sup> the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.<sup>14</sup> The coroner, when informed of the body of any person being found dead, supposedly by violence, casualty, or undue means, is required to summon a jury to inquire how, in what manner, and by whom or what, death was caused; testimony of witnesses is taken; witnesses whose evidence impli-

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1. R.S.1874, p. 173,174; R.S.1937, p. 178.
  2. L.1819, p. 204; R.S.1845, p. 76.
  3. See Enforcement of Law, p. 51.
  4. R.S.1845, p. 76; R.S.1874, p. 174; R.S.1937, p. 178.
  5. L.1819, p. 204-6.
  6. L.1819, p. 204.
  7. L.1835, p. 44.
  8. Constitution of 1848, Art. V, sec. 21. The new title, however, had already come into occasional use in the interim (R.L.1827, p. 79; L.1836, p. 44; L.1847, p. 18).
  9. Constitution of 1848, Art. V, sec. 22.
  10. Constitution of 1870, Art. VI, sec. 22.
  11. L.1819, p. 178.
  12. R.S.1874, p. 172; R.S.1937, p. 177.
  13. Constitution of 1818, Art. III, sec. 11.
  14. Compare: L.1821, p. 22-24; R.S.1845, p. 517,518; R.S.1874, p. 282-84; R.S.1937, p. 780-82.





cates any person as the unlawful slayer of the deceased are bound over to the circuit court; the verdict of the jury is returned to the clerk of that court.<sup>1</sup>

The verdict of the coroner's jury, however, is not generally admissible in evidence;<sup>2</sup> additionally, it is not held to be prima facie proof of matters stated therein with regard to the cause and manner of death;<sup>3</sup> its essential nature, therefore, is that of a finding of facts upon the basis of which the coroner may be led to discharge his collateral duty to apprehend and commit to jail any person implicated by the inquest as the unlawful slayer of the deceased.<sup>4</sup> To this extent, the coroner's inquest duties overlap his function as an officer for the enforcement of law.

#### Enforcement of Law

Sheriffs, coroners, and constables have always been charged equally with keeping the peace and apprehending all offenders against the law.<sup>5</sup> The state's attorney's powers as an officer for the enforcement of law originally derive by implication from another duty;<sup>6</sup> the gathering of evidence and the apprehension of offenders is necessarily involved in commencing and prosecuting actions in which the people of the state or county are concerned.<sup>7</sup> In relatively recent years, however, the state's attorney has been given more specific statutory powers to enforce laws, and to investigate violations and secure necessary evidence thereof.<sup>8</sup> But at any time the effective spheres of authority of law enforcement officers have been determined less by statutory provisions than by local conditions and individual circumstances.

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1. R.S.1937, p. 780,781.

2. 46 N.W. 872. It is, however, held to be proper practice to offer, in cross-examining witnesses sought to be impeached, excerpts from transcripts of testimony taken at the inquest (211 Ill. App. 474; 189 Ill. App. 556).

3. 201 Ill. App. 287.

4. L.1821, p. 25; R.S.1845, p. 518; R.S.1874, p. 285; R.S.1937, p. 782.

5. L.1819, p. 111,162,163; R.S.1845, p. 328,515; R.S.1874, p. 400,990; R.S.1937, p. 1189.

6. See Prosecutions, p. 50.

7. Previously cited; see p. 50, note 2.

8. L.1885, p. 3,64,65; L.1907, p. 267; L.1909, p. 10; L.1913, p. 393, 394,438; L.1915, p. 366; L.1927, p. 33.



### Education

The act of Congress providing for the creation and admission to the Union of the State of Illinois set aside section 16 of every township for the use of schools.<sup>1</sup> The first state legislation on the subject was concerned only with the establishment of school districts and the sale or leasing of school land to provide necessary funds, for which purposes three trustees of school lands were appointed in each township by the county commissioners' court.<sup>2</sup>

In 1825, however, with a common school system in operation, provision was made for its educational as well as financial administration. Three elected officers, known as township school trustees, were charged in each township with superintending schools, examining and employing teachers, leasing all land belonging to the district, and reporting annually to the county commissioners' court; this report, however, was limited to such matters as were concerned in the financial administration of the schools.<sup>3</sup> In 1827 the county commissioners' court was again empowered to appoint trustees of school lands, but despite the use of the earlier, more limited title, these officers were charged with all of the duties of the former township school trustees.<sup>4</sup> The creation of office of county school commissioner in 1829 brought a new element into the complex situation; the commissioner was at first given limited duties with regard to the sale of school lands and the management of school funds;<sup>5</sup> his subsequent gains in this respect at the expense of the township trustees foreshadowed the demarcation of spheres of authority that was made in 1847.<sup>6</sup> In the interim, the school commissioner, who had first been appointed by the county commissioners' court,<sup>7</sup> became an elected officer;<sup>8</sup> in such townships as elected to incorporate for the purpose of organizing and supporting schools, township trustees also became elected officers and were there denominated trustees of schools.<sup>9</sup>

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1. U.S.S. at Large, 1813-23, p. 428.

2. L.1819, p. 107,108.

3. L.1825, p. 121,122.

4. R.L.1827, p. 366-68.

5. R.L.1829, p. 150.

6. Compare: L.1831, p. 176; L.1841, p. 275-79.

7. R.L.1829, p. 150.

8. L.1841, p. 261,262.

9. L.1841, p. 273,274. In unincorporated townships, trustees continued to be appointed by the county commissioners' court (L.1841, p. 259, 260).



The situation created by the legislation of 1847 in certain respects has not since been substantially altered. In all counties, township trustees became, and are still, elected officers styled township school trustees.<sup>1</sup> The relative authority of the officer of the county<sup>2</sup> and of officers of the township with regard to financial administration was fixed essentially as at present.<sup>3</sup> Moreover, township trustees lost practically all their former duties with regard to matters purely educational as a result of a development that had occurred in 1845.

It was at that time that the county first entered into the actual administration of education with the creation of the office of superintendent of schools.<sup>4</sup> Filled at first by the school commissioner in an ex-officio capacity,<sup>5</sup> it quickly absorbed most of the functions of township trustees with regard to the advancement of education;<sup>6</sup> later, the office came to be filled by election<sup>7</sup> and completely absorbed that of school commissioner.<sup>8</sup> In the new field of county administration of education, the superintendent's duties remained constant through his change in legal status, requiring him to visit all the townships in his county and inquire into the condition and manner of conducting their schools, examine persons proposing to teach school, grant certificates to persons qualified to teach in schools, and report quarterly to the county board on all his acts as superintendent.<sup>9</sup> Subsequent legislation has enlarged the scope of this phase of the superintendent's functions,<sup>10</sup> but it is in his role as an agent of state supervision that he has been charged with numerous duties of a new character.

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1. L.1847, p. 126; L.1909, p. 350; R.S.1937, p. 2860.
  2. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been ex-officio superintendent (see notes 5,7,8), was only a change in the legal status of the officer of the county and had no further import.
  3. L.1847, p. 123,124,128,129; L.1909, p. 351-57; R.L.1937, p. 2857-59, 2861-67.
  4. R.S.1845, p. 498.
  5. Ibid.
  6. Ibid. Compare: L.1825, p. 121,122; R.L.1827, p. 366-68; L.1831, p. 173; L.1841, p. 270,275,276,279. The only duty of this category that was left to township trustees in the laws of 1847 concerned the examination of prospective teachers and the issuance of certificates where merited (L.1847, p. 130). It was omitted from the revised school law of 1851 (L.1851, p. 128).
  7. L.1865, p. 112.
  8. L.1865, p. 112,113.
  9. R.S.1845, p. 498. Compare: L.1847, p. 121-23; L.1861, p. 190,191; L.1865, p. 114,119,120.
  10. L.1909, p. 344-47; L.1915, p. 635; R.L.1937, p. 2859.



The authority of the state with regard to education, first manifested in 1845, has, like that of the county, been extended beyond its original bounds. Originally the county superintendent was required only to communicate to the state superintendent of common schools<sup>1</sup> information concerning the schools in his county.<sup>2</sup> Today, as a consequence of the state's increasing intervention in matters of public health and safety, the county superintendent is required to inspect, with regard to specifications, plans for the heating, ventilation, lighting, etc., for public school rooms and buildings submitted to him; to visit and notice such public school buildings which appear to him to be unsafe, unsanitary, or otherwise unfit for occupancy; and to request the state board of health, the state fire marshal, or the state architect to inspect such buildings and issue reports upon which condemnation proceedings can be based.<sup>3</sup>

### Recordation

For the function of making legal record of written instruments, the first General Assembly established the office of recorder.<sup>4</sup> Originally appointed by the Governor,<sup>5</sup> the recorder was required to be elected after 1835.<sup>6</sup> The second constitution made the clerk of the circuit court<sup>7</sup> ex-officio recorder in all counties;<sup>8</sup> the present constitution provides for his election in counties of 60,000 or greater population and continues the earlier provision for all others, among which is numbered Knox County.<sup>9</sup> Bond, originally set at \$1500 in all counties,<sup>10</sup> is now required in the penalty sum of \$20,000 in those in the higher population bracket and \$10,000 in those where the office of recorder has not a separate incumbent.<sup>11</sup>

The basic duty of the recorder, to record at length and in the order of their receipt all instruments in writing, has remained essentially unchanged; legislation has been directed toward the extension of categories of instru-

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1. The secretary of state in ex-officio capacity (L.1845, p. 52). In 1854 the office became independent, filled by election, and known as that of superintendent of public instruction (L.1854, p. 13), which is its present status (L.1909, p. 342; R.S.1937, p. 2856).
  2. L.1845, p. 54.
  3. L.1909, p. 347,348; L.1915, p. 635,636; L.1919, p. 387.
  4. L.1819, p. 18-20.
  5. L.1819, p. 18,19.
  6. L.1835, p. 166.
  7. An elected officer; see Clerks of Courts, p. 48.
  8. Constitution of 1848, Art. V. sec. 19; L.1849, p. 63-66.
  9. Constitution of 1870, Art. X. sec. 8; R.S.1874, p. 833.
  10. L.1819, p. 19.
  11. R.S.1874, p. 833.





ments entitled to be recorded.<sup>1</sup> Conveyances of title to land, a major category of such records, frequently involve another county officer, the surveyor. Established by the second General Assembly,<sup>2</sup> the office of surveyor was at first filled by appointment of that body,<sup>3</sup> later by election.<sup>4</sup> In 1936, the surveyor again became an appointed officer, with the power of appointment delegated to the county board.<sup>5</sup> His duty to perform all surveys he may be called on to make within his county has undergone only minor change, but its importance has declined; the acts of any surveyor, properly acknowledged and certified, have equal standing before the law with those of the county surveyor; no maps or plats have any legal effect unless recorded by the recorder.<sup>6</sup>

## Public Works

### Roads and Bridges

Public roads and bridges in Knox County were first under the superintendence of the county commissioners' court, which was authorized to locate new roads and alter or vacate existing roads.<sup>7</sup> The act providing for such superintendence empowered the commissioners to appoint freeholders in each township to act as supervisors, each appointment to be for a one-year period. New roads were to be opened by the county commissioners' court upon petition of residents of the county and a favorable report from the road viewers and surveyor. A few years later the county commissioners were authorized to divide the county into road districts, and to appoint one supervisor in each district to serve for a one-year term.<sup>8</sup> With a change in the county administrative body under the second constitution, the county court was granted supervision over public roads.<sup>9</sup> Shortly thereafter, 1853, Knox County adopted township organization, and superintendence of roads and bridges was granted to the commissioners of highways, elected in each town for one year.<sup>10</sup> The commissioners divided the town into road districts, and overseers of highways in each district were to repair the roads and carry out orders of the commissioners. This

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1. R.L.1829, p. 117; R.L.1833, p. 511; L.1835, p. 166; R.S.1845, p. 305, 432,606; L.1851, p. 80; L.1859, p. 124; L.1869, p. 2; R.S.1874, p. 833,834; L.1921, p. 756,757; R.S.1937, p. 2601,2602.
  2. L.1819, p. 62.
  3. Ibid.
  4. L.1835, p. 166.
  5. L.1933, p. 1104. Provision effective in 1936.
  6. R.L.1829, p. 173; R.L.1833, p. 511; L.1845, p. 201; L.1869, p. 241; R.S.1874, p. 1050,1051; L.1901, p. 307; L.1915, p. 575; R.S.1937, p. 3117-22.
  7. L.1819, p. 333.
  8. L.1825, p. 130.
  9. L.1849, p. 65; L.1851, p. 179.
  10. L.1849, p. 212.



general organization was effective until well after the turn of the century.<sup>1</sup> In 1913 the state highway department was established, and provision was made for the appointment by the county board of a county superintendent of highways.<sup>2</sup> The entire system was centralized by subjecting the county superintendent to the rules and regulations of the state highway commissioner and by requiring candidates for county superintendent to be approved by the state commissioner before appointment by the county board. The term of the county superintendent was set at six years, and his salary was to be fixed by the county board. A board of highway commissioners was set up in each township to superintend matters relating to roads and bridges. Although the county superintendent was to act on behalf of the county in regard to roads and bridges, and although he was subject to removal by the county board, he was regarded as a deputy of the state highway engineer, subject to his directions. This indicates the intention of the legislature to unify the entire state system of roads and bridges. In 1917 the department of public works and buildings assumed the rights, powers, and duties vested in the state highway department,<sup>3</sup> but the county organization has remained essentially the same since 1913.

#### Public Buildings

The county is given the power to hold, own, and convey real estate for county purposes.<sup>4</sup> This power is exercised by the county board, which is charged with the care and custody of all the real and personal estate owned by the county. Throughout the period of statehood it has been provided that a courthouse and jail be erected in each county, and that the sheriff of each county be charged with custody of such buildings.<sup>5</sup> The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other necessary county purposes.

The county superintendent of schools is charged with the inspection of plans and specifications for public school rooms and buildings; and the approval of only those which comply with the specifications prepared by the state superintendent of public instruction.<sup>6</sup> He is also to request the state board of health, the state fire marshal, or the state architect to inspect public school buildings which appear to be unsafe, insanitary, or unfit for occupancy. Upon receipt of an unfavorable report from these officials the county superintendent is to condemn the building and notify the board of directors or board of education, and the board of school trustees.

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1. L.1851, p. 64; L.1873, p. 166; L.1879, p. 259.

2. L.1913, p. 521.

3. L.1917, p. 24.

4. R.S.1874, p. 302.

5. L.1827, p. 246, 372; R.S.1874, p. 989.

6. L.1909, p. 342; L.1915, p. 635.



Drainage

In 1850 an act of Congress provided for the granting of swamp and overflowed lands to various states.<sup>1</sup> The land so granted to Illinois was turned over to the counties in 1852, to be reclaimed by drainage and used for county purposes.<sup>2</sup> Such lands were to be under the care and superintendence of the county court, which was to appoint a "Drainage Commissioner" to conduct the sales of such lands. The county surveyor was to prepare plats of the swamp lands, and return such plats to the clerk of the county court, whereupon the court fixed the valuation upon each tract. The purchasers of these tracts were given a certificate by the drainage commissioner, and a deed was later executed by the county court. The court was to sell only enough swamp lands to insure reclamation of all such land, any balance to be granted to the several townships to be used for educational purposes. At the discretion of the county, such balance could also be used for the construction of roads, bridges, or other public works.

In 1865 the commissioners of highways in each town became ex-officio a board of drainage commissioners.<sup>3</sup> Where a proposed drain ran through more than one town the commissioners of all the towns affected made up the board of drainage commissioners.<sup>4</sup> In 1879 drainage construction by special assessment was handled by the drainage commissioners, a body corporate and politic composed of commissioners of highways.<sup>5</sup>

Provision was first made for the organization of drainage districts for agricultural, sanitary, and mining purposes in 1879.<sup>6</sup> Petitions were to be filed with the county clerk, and hearings on the same were to be had before the county court. When the court found in favor of the petitioners it appointed three disinterested persons as commissioners to lay out and construct the work. Petitions for the construction of drains to cost less than five thousand dollars were to be presented to justices of the peace, if the petitioners so elected, and the commissioners of highways were to perform the duties of drainage commissioners in such cases. In 1885 this law was amended to include drains costing less than two thousand dollars, and provided for the appointment of three residents as commissioners.<sup>7</sup>

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1. U.S.S., v. 9, p. 519.

2. L.1852, p. 178.

3. L.1865, p. 52.

4. L.1867, p. 91.

5. L.1879, p. 142.

6. L.1879, p. 120.

7. L.1885, p. 130.



## Public Services

Public Health

The state department of public health, created in 1917,<sup>1</sup> is charged with general supervision of the health and lives of the people of the state. In conformance with this legislative order it is empowered to supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws. Public health districts may be organized along subcounty lines, with a board of health in each. The names of such districts are to be filed with the county clerk to complete their organization. Annually, each board of health certifies to the county clerk the rate of a public health tax to be levied in each district, the clerk being responsible for setting out the proper taxes upon the warrant books and transmitting them to the collector as provided for in regard to other taxes.

Control of the state health department over lodging houses, boarding houses, taverns, inns, and hotels is effected through the county clerk, the proprietors of such establishments being required to file with such clerk an annual statement containing details as to sleeping accommodations for guests.<sup>2</sup> The clerk is also required to report annually to the state health department the names and addresses of township officials.<sup>3</sup>

Mosquito abatement districts are organized upon petition to the county judge of the county in which such territory lies,<sup>4</sup> such petitions being filed with the county clerk. If, after hearing, the county judge determines the organization of the district necessary, the question is submitted to the residents of the territory at a special election. The judges of election make returns to the county judge, and the results are entered upon the records of the county court. A majority of the votes favoring it, a mosquito abatement district is thereupon organized.

County officials also enter into the state's control of public swimming pools. When a representative of the state department of public health finds conditions that warrant the closing of such a pool, the owner of the pool and the sheriff and state's attorney of the county are notified to that effect, it being the duty of these officers to enforce such notice.<sup>5</sup>

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1. L.1917, p. 2.
  2. L.1901, p. 304.
  3. L.1923, p. 480.
  4. L.1927, p. 694.
  5. L.1931, p. 735.





### Vital Statistics

The state department of public health has charge of the registration of births, stillbirths, and deaths throughout the state.<sup>1</sup> To effect proper control of this matter the state is divided into vital statistics registration districts, which, in Knox County, are identical with the townships. The township clerk acts as the local registrar in these districts, and receives certificates of births and deaths occurring in the district. Burial permits are issued by the registrar, and are later returned to him for filing.

The local registrar is required to deposit monthly with the county clerk a complete set of records of births, stillbirths, and deaths registered during the month, and the clerk is charged with binding and indexing, or recording, and safe-keeping of such records. The original certificates are sent monthly by the local registrars to the state health department, which certifies annually to the county clerk the number of births, stillbirths, and deaths registered in the county.

The county board is to appropriate money for the payment of the local registrars' fees. Such amounts are charges against the county, and the county clerk is required to issue warrants on the county treasurer for the amount of the fees payable to the registrars.

The county also enters into the enforcement phase of this matter. The state health department reports cases of violations of any provision of this act relating to registration to the state's attorney, who is to initiate and follow up court proceedings against violators.

### Public Assistance

Public assistance is administered through the services of the county department of public welfare, the county home and hospital, the blind examiner, the probation officers, the county clerk, and the county board.

The county department of public welfare is headed by a superintendent appointed by the county board after approval by the state department of public welfare.<sup>2</sup> He assists the state department in the operation of welfare plans and policies within the county, and has charge of the administration of old age assistance.<sup>3</sup> In this latter regard the county department acts merely as the agent of the state department, investigating applicants and reporting results.

The county home is an establishment for the maintenance and care of indigents. Its management and finances are provided by the county board.<sup>4</sup>

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1. L.1915, p. 660.

2. L.1937, p. 451.

3. L.1935-36, First Sp. Sess., p. 54; L.1937, p. 265.

4. L.1935, p. 1057.



Blind assistance is administered in the county with appropriations of the county board together with state funds. An examiner of the blind, appointed by the county board, examines all applicants referred to him by the county clerk.<sup>1</sup> The county court has jurisdiction in the administration of the mothers' pension fund. A probation officer, an appointee of the court for this purpose, investigates and visits cases of indigent mothers who are entitled to benefit.<sup>2</sup>

#### Coordination of Functions and Records System

From the foregoing discussion of functions of the county government it is apparent that the county plays a dual role, that of a body politic and that of an agent of the state. In its first capacity the county, through its officials, is capable of suing and being sued, purchasing, holding, and selling property, making contracts, and raising revenue for its proper operation. As a state agent it fits into a state-wide program on various matters of public concern, acting under the supervision and control of the state and coordinating the activities of subcounty agencies and officials.

Coordination of county activities is effected chiefly through the county clerk. An illustration of this is the part this official plays in the election procedure. He notifies the judges and clerks of elections of their appointment, supplies them with blanks and poll books, receives copies of registers of voters, issues notices of election, receives and preserves returns, canvasses votes with the assistance of two justices of the peace and retains the abstracts, transmits copies of election returns and abstracts of votes to the secretary of state, and issues certificates of election.

Making for uniformity in records are laws requiring county boards to supply books and forms in many cases. But the only uniformity between counties is accomplished by the use of standard forms in a few cases required by state agencies. Adequate statutory provision is made for re-binding and transcribing old records. The use of loose-leaf books has further improved records; statutory compulsion could extend the improvement.

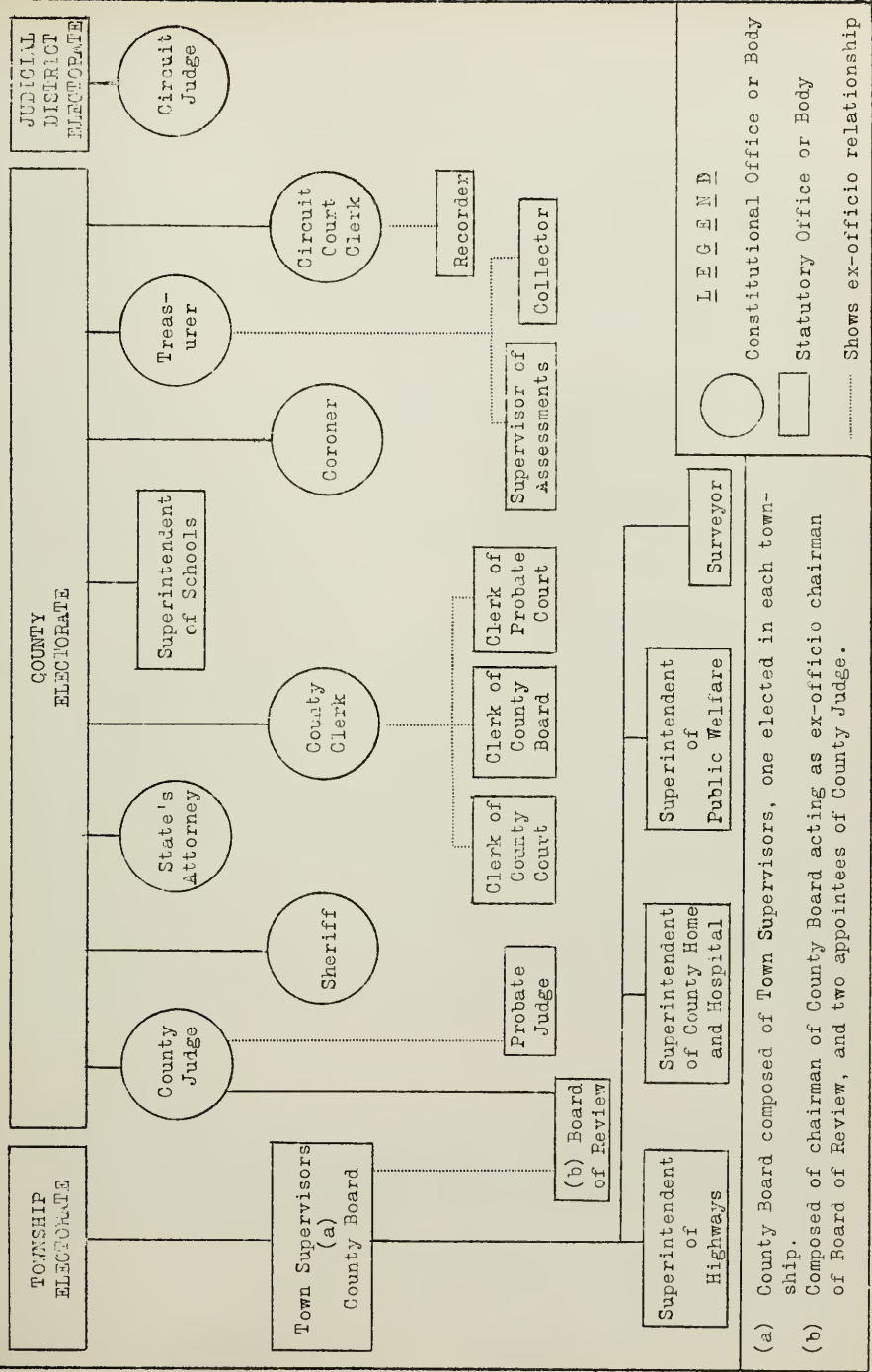
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1. L.1903, p. 138; L.1915, p. 257; L.1935, p. 264.

2. L.1913, p. 127; L.1915, p. 243; L.1921, p. 164; L.1935, p. 256.



GOVERNMENTAL ORGANIZATION OF KNOX COUNTY, 1938



- (a) County Board composed of Town Supervisors, one elected in each township.
- (b) Composed of chairman of County Board acting as ex-officio chairman of Board of Review, and two appointees of County Judge.



### 3. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

In its dignity, impressiveness, and details of architectural design, the courthouse of Knox County in Galesburg, Illinois, is reminiscent of the main hall of a long-established university. Gothic in style, it is seventy-five feet square, contains three full stories and a basement, and possesses a corner clock tower twice the sixty-foot height of the main structure. What normally would be considered the attic, is termed the fourth story; likewise in the tower, is a fourth-story room termed the clock tower room.

The third in the history of Knox County, the present courthouse was erected in the years 1884 to 1886 at a total final cost of \$156,261.<sup>1</sup> It is built of stone, steel, and concrete; corrugated iron ceilings are used throughout, and steel shelving is used in a majority of the offices or storage rooms. Evidences of crowding are present only in the main offices of the county and circuit clerks and in one storage room, the tax record room in the basement; in all other offices and record depositories there is ample room for expansion. The character and quality of materials used in construction of the building rate it as being fireproof. Space content is three hundred thousand cubic feet.

The offices and all records of the county and probate clerk, circuit clerk and recorder, county treasurer, sheriff, state's attorney, superintendent of schools, and county department of public welfare, are located in the courthouse. The county surveyor does not have a separate office; his records are filed in the circuit clerk's record room on the first floor. The coroner's office is located on the fifth floor of the Bank of Galesburg Building at Main and Kellogg Streets. The superintendent of highways has a separate office building on Grand Avenue, two stories in height, built of brick; as originally erected in 1929 it contained only one story, but a second story was added in 1932. All but five percent of the records of the superintendent of highways are in his office on the first floor. The records of the county home and hospital are in the office of the superintendent on the first floor. This structure built of brick, is three stories in height and has a space content of nine hundred and seven thousand, two hundred cubic feet; the main section was erected in 1866 and 1867, with three wings subsequently being added at different times.

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1. See Proceedings of Board of Supervisors (September 11, 1889), v. G, p. 232; entry 2. For complete record of building of courthouse, see Courthouse Record, entry 15.





The office of the county and probate clerk on the first floor includes two rooms, his office proper, and an office annex. The office proper has an area of six hundred and forty square feet, and has natural light from four large windows. Along the north and south walls, and beneath the public service counter, are one thousand eight hundred and five feet of shelving, including the steel roller type and thirteen inch deep steel file drawers, holding one thousand three hundred and sixty-five feet of bound volumes and four hundred and forty feet of unbound material. Here the county clerk keeps thirty-five percent of his records; also stored here are ten percent of the coroner's records, and one percent of the treasurer's records. There is no room for expansion, but the clerk has space available in various storerooms throughout the building. In fact, the county clerk now has his records in eleven different offices and storage rooms. Besides the records in his office proper, the office annex contains two percent; it has all the same desirable advantages of light, ventilation, and accommodations for users of the files as the main office, plus ample room for expansion. Other locations for the county clerk's records and the percentages contained therein are: treasurer's office, first floor, two percent; tax record room, basement, thirty-nine percent; northeast storeroom, basement, five percent; southeast storeroom, basement, four percent; county judge's office, and office of the sheriff, on the second floor, one percent each; clock tower room, fourth floor, seven percent; west storeroom, fourth floor, three percent; and northwest storeroom, fourth floor, one percent. No accommodations for users of records are available in the northeast storeroom in the basement, and in the three storerooms on the fourth floor.

The circuit clerk and recorder has three rooms on the first floor, his office proper, an office annex, and a record room. The main office has an area of four hundred and forty-eight square feet and receives light from eight large windows. Eight hundred and fifteen feet of unbound materials in thirteen-inch deep file boxes, and only one hundred and sixty feet of bound volumes on steel roller shelving, occupy all available space. This filing equipment is beneath the public service counters, in the center of the room, and along the north and east walls. In his main office the circuit clerk keeps thirty percent of his records; thirty-five percent of the coroner's records also are filed here. Excellent accommodations exist in this office for users of records, as they also do in the office annex and record room. The office annex has almost the same area as the office proper, but only half the number of windows. It is used mainly for the storage of bound volumes, there being three hundred and thirty feet on steel roller shelves. Twenty percent of the records of the circuit clerk and recorder are filed here. There is ample room for expansion. The record room, which contains mostly records of the circuit clerk as ex-officio recorder, is the largest of the three rooms, having an area of seven hundred and twenty square feet. The steel roller shelving and file boxes, arranged along the four walls, hold twelve hundred feet of bound volumes and three hundred feet of unbound material. This represents thirty percent of the total records kept by the circuit clerk and recorder. There is no crowding, and space is available for expansion. In the southeast storeroom in the basement, which is used in common by five county officials, the circuit clerk keeps eleven percent of his records;



in the west storeroom on the fourth floor are eight percent, and in the northwest storeroom, on the same floor, is the final one percent of the records.

The county treasurer is the only other official having an office on the first floor. His office space is comparable in size to that used by the circuit clerk, but is approximately one-third smaller than that occupied by the county clerk. In his inner and outer offices, well lighted by six large windows, the treasurer keeps twenty-one percent of his records on wood shelving and in wood file drawers. There are seventy feet of bound volumes and twelve feet of unbound materials in twenty-four inch deep file drawers. Crowding is not evident and there is considerable space for expansion. Users of the records will find accommodations desirable and convenient. The greatest bulk of the treasurer's records is found in the basement, forty-eight percent in the northeast storeroom, and twenty percent in the southeast storeroom. An additional ten percent of the records are stored in the clock tower room on the fourth floor, and the final one percent is in the northwest storeroom on the same floor.

The tax record or west storeroom and the northeast storeroom in the basement are practically the same in size; the third storage room, the southeast, is the largest in size, having an area of three hundred and thirty-six square feet. The tax record room houses thirty-nine percent of the county clerk's records which are kept on wood shelving arranged along the four walls, and on a steel rack in the center of the room. There are two hundred and thirty-seven feet of bound volumes, eight-six feet of unbound materials in fourteen-inch deep file boxes, two feet of newspaper files, and eight feet of miscellaneous matter. Ventilation is poor, but there is little dust and no soot or dampness. Artificial lighting is good and accommodations for users of records are limited. There is little space for expansion.

The county clerk and the treasurer share the northeast storeroom in the basement, the clerk having five percent of his records and the treasurer forty-eight percent housed here. Crowding is not as evident in this room as in the tax record room; there is space for several years' records to come. Steel adjustable shelves and steel file boxes are arranged along the east, south, and west walls. Here are filed eighty feet of bound volumes, ninety-two feet of unbound materials in nine-inch deep file boxes, and eighty feet of miscellaneous bundles and envelopes. Physical conditions are similar to those in the tax record room, but there are no accommodations for users of the records. The southeast storeroom contains records of the county clerk, the circuit clerk, sheriff, coroner and treasurer. Wood shelving is used to hold one hundred and seventy-three feet of bound volumes, and nine-inch deep file drawers to hold two hundred and ninety-five feet of unbound materials; there are six feet of miscellaneous matter. The filing equipment is arranged along the east and south walls, and in the center, and there is ample room for more shelving. Physical conditions are similar to those in the other two basement storerooms, and users of the records will find adequate accommodations.



The sheriff's office, two hundred and fifty-two square feet in area, and adjoining the county court room on the second floor, is not crowded despite its relative smallness. Near the south wall are eighteen feet of steel shelving on which are ten feet of bound volumes; a small number of file boxes fourteen inches in depth hold the unbound materials, mostly correspondence. The sheriff keeps forty percent of his records here, fifty percent in the southeast storeroom in the basement, and ten percent in the clock tower room on the fourth floor. The county clerk has one percent of his records in the sheriff's office. Research workers and record consultants will find accommodations satisfactory.

In the county judge's office on the second floor, the county clerk keeps the records of the probation officer serving the county court; these represent one percent of his records. Also on the second floor is the office of the state's attorney, with an area of two hundred and forty square feet. Three large windows provide light and ventilation. All of the records of the state's attorney are kept here in three bound volumes. Accommodations in this office for users of the records are sufficient.

On the third floor, the office of the superintendent of schools includes three rooms, a main office, a private office, and a center or work room. The main office, eighteen feet by twenty-four feet in size, has three doors and three windows all the same size, seven feet by three feet. Along the north wall, on wood shelving and in wood file drawers, are eighty-five percent of the superintendent's records, consisting of nine feet of bound volumes and three feet of unbound materials. No additional space is required, and conveniences for users of the records are adequate. The private office has an area of two hundred and ninety-four square feet, and is lighted by four large windows. Three feet of bound volumes and six feet of unbound materials in thirteen-inch deep file boxes, represent two percent of the records of the superintendent. The unused space on the metal shelves and in the file boxes will provide for storage of records for some time to come. Two desks and six chairs amply serve the requirements of those studying the records. The center room is small, nine feet by fourteen feet, but houses twelve percent of the records, consisting of twenty-one feet of bound volumes kept on wood shelving. While there is ample room for expansion, no accommodations are available to users of the records. The final one percent of the records of the superintendent is in the clock tower room on the fourth floor.

Also located on the third floor is the old age assistance office, ten feet by twelve feet in size; here are kept all records of the county department of public welfare. Steel file boxes thirteen inches in depth, are arranged along the east wall and contain three feet of unbound materials. There is room for expansion whenever the need should arise. One desk and four chairs accommodate those wishing to consult the records.

Like the basement, the fourth floor also has three storage rooms for records: the clock tower room, the west storeroom, and the northwest storeroom. Other storage space is available but is not being used. In the clock tower room, which is eighteen feet square, and lighted by twelve large windows, are kept seven percent of the county clerk's files, fifteen



percent of the coroner's files, ten percent of the sheriff's files, one percent of the files of the superintendent of schools, and ten percent of the treasurer's files. All of this unbound material is stored in nine-inch deep wood counter shelves, arranged along the north and east walls, in pigeon hole files along the west wall, and in a cabinet file against the south wall. There is no crowding; space is available for the storage of more records or the addition of new file boxes. This is the only storeroom in which dust has been allowed to accumulate. There are no accommodations for users of records.

The west storeroom, the largest, is forty-two feet square, and on one hundred and forty-four feet of wood shelving are sixty-five feet of bound volumes. Also there are five feet of unbound material in file boxes fourteen inches deep. Three percent of the county clerk's records, and eight percent of the circuit clerk and recorder's records are stored here. With the addition of new shelving and file boxes, for which there is ample space, this record depository could be used to relieve other storage rooms that are now crowded almost to capacity. Lighting is only fair as the windows are small and the sky light helps but little. There are no accommodations for consultants of records. The northwest storeroom is practically the same size as the clock tower room, but has no windows or artificial lighting. Along the east wall are one hundred and fifty-six feet of wood shelving on which are twenty-five feet of bound volumes. One percent each of the county clerk's, circuit clerk's, and treasurer's records are housed here. Considerable space is available for the storage of additional records or the installation of new equipment. Ventilation is poor, but there is little dust or soot. No facilities exist for the convenience of users of these records.

Dr. George S. Bower, the county coroner, has his office containing ten percent of the coroner's records in rooms 529-531, fifth floor, Bank of Galesburg Building, Main and Kellogg Streets. This building, constructed of steel and brick, was erected in 1892; it is judged to be eighty percent fireproof. Those records kept in the coroner's office are current. In the courthouse, on the first floor, in the circuit clerk's office are thirty-five percent of the coroner's records; ten percent are found in the county clerk's office, while thirty percent are housed in the southeast storeroom in the basement; and the final fifteen percent of the coroner's records are stored in the clock tower room on the fourth floor.

In the superintendent of highways office building on Grand Avenue, Galesburg, the superintendent keeps all of his records. This brick building, two stories in height, is thirty feet wide by twenty feet deep. The building is estimated to be fifty percent fireproof. The office of the superintendent is located on the first floor and is nine feet by twelve feet in size. Three large windows provide good natural lighting, while artificial lighting has been so arranged as to facilitate work on records. Twelve feet of bound volumes are kept on an office desk and on the floor. There is no shelving; it is recommended that shelves be constructed for the proper care of the records. Room is available for such construction, and for additional records. In this office are ninety percent of the records of the superintendent of highways. On the second floor is the drafting room, ten feet by twenty-two feet in size. Four windows, seven feet







by three feet, illuminate this room, and electric lights are suspended over the two draftsmen's tables. In a closet in the northwest corner, on three feet of wood shelving, are stored rolls of construction plans, representing ten percent of the superintendent's records. Crowding is not a factor here. Accommodations on both floors for record users are all that may be desired.

The county home and hospital is located one mile north of Knoxville, which is five miles east of Galesburg. The land was purchased in 1855 when a committee was appointed with authority to purchase the west one-half of the southwest one-quarter of section twenty-one, township eleven north and range two east for the sum of \$3,000 for a county home.<sup>1</sup> The county home building includes a main section and three wings; it is three stories or thirty-six feet in height, two hundred and eighty feet in width, and ninety feet in depth. The main section was completed by 1867, and the east or first wing was built in 1876; a second wing constructed in 1890, and the third wing added in 1898.<sup>2</sup> Brick and limestone were used in building the home, but the structure is not fireproof. Records, however, are kept in a fireproof safe in the superintendent's office on the first floor. They consist of three feet of bound volumes, and one foot of unbound materials in fourteen-inch deep file boxes. Room for additional records is available. Those wishing to study the records will find conveniences satisfactory.

In summarizing, it may be stated that careful provisions have been carried out to house and maintain records with a view to their best preservation. Improvements that might be made in the storerooms on the fourth floor, and the addition of new shelving and file boxes would promote consolidation of the records of one office in one storage room. As was stated earlier, the county clerk has his records in eleven different locations, and greater efficiency and convenience would result were all his records grouped in a fewer number of depositories. No records have been lost because of fires or floods. The gaps that do appear are minor and may be attributed to the moving of the county seat from Knoxville to Galesburg in 1873, or to moving into the new courthouse in 1887. Certain papers, such as cancelled county orders and jury certificates have not been preserved throughout the years.

A certain uniformity in record books was inaugurated by the circuit clerk about 1903, when loose-leaf binders were ordered. The other county officials, however, still use the bound volumes for recordation. Binding and rebinding of record volumes is under direction of the board of supervisors, and Survey workers found few volumes which could be considered to be in poor shape. As to the indexing and filing of records in Knox County, the systems employed correspond in the main with those generally adopted by other counties in the state.

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1. Proceedings of Board of Supervisors (September 12, 1855), v. A, p. 92. (See entry 2, this inventory). For record of deed, see Deed Record (March 5, 1856), v. 32, p. 92; (entry 114, this inventory).
  2. Proceedings of Board of Supervisors (September 11, 1867), v. B, p. 345; (August 21, 1876), v. C, p. 589, 590; (April 17, 1890, v. G, p. 285; (July 11, 1898), v. I, p. 507. (See entry 2, this inventory).



4. LIST OF ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph.....	alphabetical(ly)
app.....	appendix
arr.....	arranged (arrangement)
Art.....	Article
assr.....	assessor
atty.....	attorney
aud.....	auditor
bd.....	board
bdl.....	bundle(s)
bldg.....	building
bsmt.....	basement
cf.....	confer (compare)
ch.....	chapter(s)
chron.....	chronological(ly)
cir.....	circuit
clk.....	clerk
co.....	county
coll.....	collector
cont.....	continued
cor.....	coroner
ct.....	court
dept.....	department
f.b.....	file box(es)
f.d.....	file drawer(s)
fl.....	floor
fm.....	form
ft.....	feet
hdgs.....	headings
hdw.....	handwritten
hwys.....	highways
ibid.....	ibidem - the same (reference)
i.e.....	id est - that is
Ill. App.....	Illinois Appellate Court (Reports)
Ill.S.A.....	Illinois Statutes Annotated
Ill. Sup.....	Illinois Supreme Court (Reports)
in.....	inch(es)
L.....	Laws
mi.....	mile(s)
no.(s).....	number(s)
N.W.....	Northwestern Reporter
off.....	office
p.....	page(s)
pr.....	printed
pro.....	probate
rec.....	recorder
R.L.....	Revised Laws
rm.....	room
R.S.....	Revised Statutes
sch.....	school(s)



List of Abbreviations, Symbols,  
and Explanatory Notes

(First entry, p. 77)

sec.	section(s)
sep.	separate
Sess.	Session
sh.	sheriff
Sp.	Special
strm.	storeroom
supt.	superintendent
surv.	surveyor
treas.	treasurer
twp.(s)	township(s)
U.S.R.S.	United States Revised Statutes
U.S.S.	United States Statutes
v.	volume(s)
vet.	veterinarian
vl.	vault
--	current

1. Despite inaccuracies in spelling and punctuation, titles of records are shown in the inventory proper exactly as on volumes and file boxes. The current or most recent title is used as the title of the entry.

2. Explanatory additions to inadequate titles and corrections of erroneous titles are enclosed in parentheses and have initial capitals.

3. In the absence of titles, supplied titles are capitalized and enclosed in parentheses.

4. In the title set-up, letters or numbers in parentheses indicate the exact labeling on volumes or file boxes. If the volumes or file boxes are unlabeled, no labeling is indicated.

5. Title line cross references are used to complete series for records kept separately for a period of time, and in other records for different periods of time. They are also used in all artificial entries - records which must be shown separately under their own proper office or section heading even though they are kept in files or records appearing elsewhere in the inventory. In both instances, the description of the master entry shows the title and entry number of the record from which the cross reference is made. Dates shown in the description of the master entry are only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

6. Separate third paragraph cross references from entry to entry, and "see also" references under subject headings, are used to show prior, subsequent, or related records which are not part of the same series.

7. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule.

8. Records may be assumed to be in good condition unless otherwise indicated.

9. On maps and plat records, the names of author, engraver, and publisher, and information on scale have been omitted only when these data were not ascertainable.

10. Unless otherwise specified, all records are located in the county courthouse.



## I. COUNTY BOARD

In Illinois counties, the county board is that body which exercises the corporate or politic power of the county. In Knox County, since its organization in 1830,<sup>1</sup> three bodies have successively acted as a county board: the county commissioners' court, the county court, and the board of supervisors.

The Constitution of 1818 provided that there should be elected in each county, for the purpose of transacting all county business, three commissioners whose term of service, powers, and duties should be regulated and defined by law.<sup>2</sup> The first general assembly denominated the commissioners a court of record, styled the county commissioners' court.<sup>3</sup> Four annual sessions were required to be held for six days each, unless the business should be completed sooner; additionally, any one of the commissioners had power, upon giving five days' notice to the remaining commissioners and the clerk of the court, to call a special session, which had the same authority as a regular session.<sup>4</sup> The first commissioners were elected for an irregular term;<sup>5</sup> subsequently, it was provided that they should be elected at each biennial, general election;<sup>6</sup> and in 1837, the term was lengthened to three years and staggered, with one new commissioner elected annually.<sup>7</sup> Thereafter, the commissioner who was longest in office was to be recognized as the presiding officer of the court.<sup>8</sup> Compensation was originally set at the sum of two and

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1. Knox County was created in 1825 but, by the further terms of the enabling act, was not to organize until it contained three hundred and fifty inhabitants (L.1825, p. 94,95). Until then, it was to remain a part of Fulton County, from which it had been taken (L.1825, p. 168). In 1830, its population had reached sufficient proportions for a petition to be presented to the circuit judge, who then declared the county organized and required elections to be held.
  2. Constitution of 1818, Schedule, sec. 4.
  3. L.1819, p. 175.
  4. L.1819, p. 175, 176.
  5. L.1819, p. 100. The commissioners were to continue in office from the election held on the following fourth Monday in April (1819) until the first Wednesday in August, 1820, and until their successors were elected and qualified. Not until 1821 was provision made for the election of such successors (see note 6). In Knox County, the first commissioners held office for only one month, from July, 1830, to August of that year, the next occurrence of a regular biennial election.
  6. L.1821, p. 80.
  7. R.L.1837, p. 103,104. In 1838, to initiate the new procedure, three commissioners were elected; by lot, they held office respectively for one, two, and three years.
  8. R.L.1837, p. 104.





one half dollars for each day's attendance in holding court,<sup>1</sup> later was removed to one and one half dollars.<sup>2</sup> In 1821, provision was made for the removal of commissioners for mal-feasance or non-feasance of duties, with proceedings as in criminal cases;<sup>3</sup> when the first criminal code was enacted in 1827, the penalty was modified to a fine of not more than \$200, with removal from office only upon recommendation of the jury.<sup>4</sup> Vacancies resulting from any cause were filled by special election upon order of the clerk of the court to the district judges of election.<sup>5</sup>

The county commissioners' court was succeeded in 1849 by the county court. The latter body had been created by the Constitution of 1848:<sup>6</sup> as a court of law it was constituted by a single officer, the county judge, elected for a term of four years;<sup>7</sup> as an administrative body, it was to be augmented by such justices of the peace as should be required by law.<sup>8</sup> In the enabling act passed by the next general assembly, it was further provided that two extra justices of the peace, with county-wide jurisdiction, should be elected for terms of four years and sit with the county judge as members of the court for the transaction of county business alone.<sup>9</sup> For this purpose the court was required to hold four sessions annually and, when so sitting, had all power, jurisdiction, and authority formerly conferred upon the county commissioners' court.<sup>10</sup> Compensation of the county judge was first set at the sum of two and one half dollars for every day of holding court,<sup>11</sup> later was increased to three dollars subsequent to Knox County's adoption of an optional form of county government.<sup>12</sup>

The second constitution had also required the general assembly to provide, by general law, for a township organization, under which any county might organize whenever a majority of the voters of such county should so determine.<sup>13</sup> By the laws of the subsequent enabling acts,<sup>14</sup> a board of

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1. L.1819, p. 176.
  2. R.L.1827, p. 55.
  3. L.1821, p. 20-22. Conviction further carried disqualification from holding office for one year.
  4. R.L.1827, p. 145.
  5. R.L.1837, p. 104. No election was required to be held however, if the term of the commissioner vacating office would have expired within six months from the date of vacancy.
  6. Constitution of 1848, Art. V, sec. 1, 16.
  7. Constitution of 1848, Art. V, sec. 17.
  8. Constitution of 1848, Art. V, sec. 19.
  9. L.1849, p. 65,66.
  10. L.1849, p. 65.
  11. L.1849, p. 62,63.
  12. L.1855, p. 18.
  13. Constitution of 1848, Art. VII, sec. 6.
  14. L.1849, p. 190-229; L.1851, p. 35-78. The later law repealed, and was a complete substitute for, the earlier; but so far as their effect on the sphere of county government is concerned, there was almost no difference between the two.



supervisors, whose members were to be elected one in each of the various townships annually,<sup>1</sup> was created to transact all county business in counties so electing.<sup>2</sup> Knox County, after the proposition had failed to carry a majority in 1849, elected the optional plan in 1853, and in that year the board of supervisors assumed the administrative jurisdiction formerly exercised by the county court. Originally the board held but one session a year;<sup>3</sup> later, provision was made for special meetings upon the approval of two thirds of the members;<sup>4</sup> since 1899, two regular sessions have been held annually, and special meetings at the request of only one third of the members.<sup>5</sup> In 1925 the term of office of supervisors was lengthened to two years,<sup>6</sup> and again in 1931 to four years.<sup>7</sup> Their compensation during this period has increased only from two dollars a day<sup>8</sup> to five dollars a day and five cents per mile of necessary travel.<sup>9</sup> The original law establishing township organization provided merely a fine, in the sum of \$250, for refusal to perform, or neglect of, duties;<sup>10</sup> subsequent legislation reduced the fine to \$50 and added the more frequent penalty for mis-feasance, disqualification from office.<sup>11</sup> The revision of the law in 1874 brought one of the most significant changes in the development of township organization of county government: the recognition of population as a factor in local representation on the board of supervisors. At that time each town or city, besides its regular supervisor, became entitled to one assistant supervisor if it had four thousand or more inhabitants, two if sixty-five hundred, and one more for every additional twenty-five hundred.<sup>12</sup> The assistant supervisors, whose terms run concurrently with those of the regular supervisors,<sup>13</sup> have no power or duties as town officers, but are members of the county board and enjoy the same powers and rights as other members.<sup>14</sup> The population requirements in this respect have since changed, but have not affected Knox County.<sup>15</sup> At present its board of supervisors has twenty-seven members.

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1. L.1851, p. 38.
  2. L.1851, p. 50.
  3. L.1851, p. 45.
  4. L.1861, p. 236.
  5. L.1899, p. 363.
  6. L.1925, p. 605.
  7. L.1931, p. 905.
  8. L.1861, p. 238.
  9. L.1937, p. 601. In actuality, the present per diem, as well as the mileage rate, was established in 1919 (L.1919, p. 569); the per diem was lowered to four dollars in 1933 (L.1933, p. 615), and then raised as already noted.
  10. L.1849, p. 203,204.
  11. R.S.1874, p. 1080.
  12. R.S.1874, p. 1075.
  13. L.1933, p. 1115.
  14. R.S.1874, p. 1080; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905,907; L.1933, p. 1115.
  15. In 1931 a different set of population requirements was applied in counties of 100,000 or more inhabitants (L.1931, p. 908). Two years later the differentiating figure was reduced to 90,000 (L.1933, p. 1116). Knox County, with its population of 51,336 according to the 1930 U.S. Census, was not affected at either time.



In contrast to its legal status, the functions of the Illinois county board have undergone little change since the beginning of statehood. Except for one important power conferred on counties which, like Knox, have adopted township government, the development has merely been one of accretion and increasing complexity of duties within a well-defined and nearly static sphere of authority and jurisdiction.

The law establishing the court of county commissioners conferred upon it jurisdiction in all matters concerning county revenue.<sup>1</sup> Of this basic provision, nearly all other statutory powers of the court can be considered extensions; some, enunciated in the same law, already show such a legislative viewpoint. The court was further given power to regulate and impose the county tax, and to grant such licenses as might also bring in a revenue; additionally, it was given authority over all public roads, canals, turnpike roads, and toll bridges.<sup>2</sup> Other legislation by the first general assembly gave the court power to buy and sell lots whereon to erect county buildings, and to contract for the construction of such;<sup>3</sup> later, in the case of the courthouse at least, the court was declared to have care and custody of the property and the right to make certain dispositions of it.<sup>4</sup> Care of the indigent was also made a function of the court: it was required to make appropriations, to be levied and collected in the same manner as other county rates, for their support; as an extension of this fiscal function, it was required to appoint an overseer of the poor in every township and establish a county poorhouse if necessary.<sup>5</sup> Fiscal control over school lands was exercised at first solely through the court's power of appointment of the trustees of school lands;<sup>6</sup> after the creation of the office of county school commissioner,<sup>7</sup> firmer control was effected through the medium of reports which the commissioner was required to submit to the court;<sup>8</sup> again, the court's jurisdiction was later extended, reaching into matters of school administration when it was provided that the commissioner should submit quarterly reports of his visits to schools.<sup>9</sup> By the terms of another early provision, a significant precursor of many similar ones to be found in more recent years, the court also had authority to examine the full accounts of the commissioner.<sup>10</sup> Other aspects of government which, if farther removed from the fiscal core, come early into this jurisdictional sphere, are elections and juries. With regard to the former, the court

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1. L.1819, p. 175.
  2. Ibid.
  3. L.1819, p. 237,238.
  4. L.1843, p. 128.
  5. L.1819, p. 127; L.1839, p. 138,139.
  6. R.L.1827, p. 366.
  7. R.L.1829, p. 150.
  8. L.1831, p. 175.
  9. R.L.1845, p. 500,501.
  10. L.1831, p. 175.



was authorized to establish election precincts,<sup>1</sup> appoint judges of election,<sup>2</sup> and allow compensation to election officials for services and stationery.<sup>3</sup> Its duty with regard to juries was relatively simple: it was required to select two panels each of petit and grand jurors; the former were required to be enrolled on the list of taxable inhabitants, the latter only to be freeholders, or householders.<sup>4</sup> The court's early and brief jurisdiction over probate matters<sup>5</sup> is not part of its history as a county board.<sup>6</sup>

The substitution of the county court for the county commissioners' court produced no immediate changes in the sphere of government: neither the second constitution nor the enabling legislation made any original pronouncements with regard to the powers or duties of the former.<sup>7</sup> Such legislation as has been enacted on this subject since 1853 does not affect Knox County; in that year, it adopted township government.

The provisions of the revised law on township organization were then in effect.<sup>8</sup> This law, in the main, only made more inclusive and definite the powers of the board of supervisors. With only the requirement that it be for the use of the inhabitants, the board was given capacity to purchase and hold any land within the county, for whatever purpose; it was also given authority to make such contracts, and to purchase and hold such personal property as might be necessary to the exercise of its powers; moreover it could make such orders for the disposition, regulation, or use of the corporate property as might seem to the interest of the inhabitants.<sup>9</sup> Explicit, also, was the authority to audit all claims against the county, and the accounts of such officers as were not otherwise provided for by law.<sup>10</sup> Along such lines has subsequent legislation developed, but a more original feature of this law was the conferring on the board of the power to appropriate funds to aid in the construction and maintenance of roads and bridges.<sup>11</sup> While the county commissioners' court had had jurisdiction over public roads,<sup>12</sup> it

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1. L.1821, p. 74. There was, in this law and many of those following, a limit to the number of precincts which could be established. See L.1825, p. 168; R.L.1827, p. 255; R.L.1829, p. 54; L.1835, p. 141. Prior to 1821, each township was declared by statute to constitute an election district (L.1819, p. 90).
  2. L.1819, p. 90.
  3. L.1819, p. 99.
  4. L.1819, p. 255; L.1823, p. 182.
  5. L.1819, p. 19-22, 223-30, 301; L.1821, p. 121.
  6. See Probate Court essay.
  7. As already stated (note 10, p. 71), it was merely provided that the county court should have the power, jurisdiction, and authority of the former county commissioners.
  8. The Act of Feb. 17, 1851, previously cited. L.1851, p. 35-78.
  9. L.1851, p. 51, 52.
  10. L.1851, p. 50.
  11. Ibid.
  12. Previously cited. L.1819, p. 333.





had no authority to make appropriations for them.<sup>1</sup> It is this power, principally, which today differentiates the board of supervisors from the county board in counties not organized under the township plan.

From the enabling legislation of the present constitution is drawn the following brief statement of the principal functions of the county board:

1. The purchase, sale, and custody of the real and personal property of the county.
2. Examining and settling accounts against the county.
3. Issuing orders on the county treasury in pursuance of its fiscal administration.
4. Examining accounts concerning the receipts and expenditures of county officers.
5. Supervision of elections, schools, and the selection of juries; construction and maintenance of roads and bridges; care of the indigent, infirm, and disabled.
6. Appropriating funds necessary to the effecting of its functions, raising such sums through taxation, and in general the management of county funds and county business.<sup>2</sup>

At all times the county board has had a clerk who has served it in a ministerial capacity. The legal status of that officer, however, has varied considerably.

The law creating the county commissioners' court provided that it should have a clerk, and gave it the power to appoint him.<sup>3</sup> In 1837, the clerk became an elective officer, with a term of four years;<sup>4</sup> this was reduced to two years not long after.<sup>5</sup> Bond was set by the original law in the sum of \$1000.<sup>6</sup> The clerk had power to appoint deputies, for whose conduct he was responsible.<sup>7</sup> The principal officer, however, could be removed by the county commissioners' court,<sup>8</sup> which also fixed his compensation for attending court and could allow him additionally, as an ex-officio fee, a sum not exceeding twenty dollars.<sup>9</sup>

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1. The road district supervisors appointed by the court were authorized to call on the male inhabitants between the ages of 18 and 50 for the necessary labor. L.1819, p. 334.
  2. R.S.1874, p. 306.
  3. L.1819, p. 175. Term of office was not specified; presumably it was to be concurrent with that of the commissioner, which itself was not set until 1821, when it was fixed at two years (see footnote 5, p. 70).
  4. L.1837, p. 49.
  5. L.1845, p. 28. The reduction in term, however, was not to take effect until 1847.
  6. L.1819, p. 176, 177.
  7. L.1831, p. 49.
  8. R.S.1845, p. 131.
  9. R.L.1829, p. 141.



With the succession of the county commissioners' court by the county court, the office of clerk of the former body ceased to exist. A new office was created by statute, that of clerk of the county court, with term set at four years and bond in the sum of \$3000.<sup>1</sup> When the court sat for the transaction of county business, its clerk was in effect a clerk of a county board; legal recognition of this distinction was given in the provision that the clerk should keep, in a separate set of books, the proceedings of the court when acting on county business, and in like manner segregate business papers from judicial.<sup>2</sup> The adoption of township government by Knox County did not alter the material situation: the clerk of the county court was required to act as the ministerial officer of the board of supervisors.<sup>3</sup>

In 1874, however, a new legal situation was created by the abolishment of a separate office of clerk of the county court and the establishment of the office of county clerk. The latter office had been created by constitutional proviso, which also made it elective, with a term of four years.<sup>4</sup> By an act of the following general assembly, it was provided that the county clerk should also be ex-officio clerk of the county court, taken in its judicial capacity alone, and act as clerk for the county board, in that capacity succeeding the former officer of the court.<sup>5</sup> Bond was required in a sum set by the county board, and covered the actions of the clerk in each of his several capacities.<sup>6</sup>

The major record kept by the clerk for the board of supervisors is the minutes of its proceedings. This heterogeneous record includes: orders to issue warrants on the county treasury; the board's consideration of the action on reports of committees of its members on roads and bridges, indigent and infirm relief, schools, taxation, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.<sup>7</sup>

The clerk also keeps, separately, a register of orders issued on the county treasury and lists of jury venire; files and preserves all bills of accounts acted on by the board; and takes custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of county officers.<sup>8</sup> An obligation to preserve a multiplicity of other records is clearly set forth in the general provision requiring the clerk to have the care and custody of all papers appertaining to, as well as filed in his office.<sup>9</sup>

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1. L.1849, p. 62,63.
  2. L.1849, p. 66.
  3. L.1851, p. 78.
  4. Constitution of 1870, Art. X, sec. 8.
  5. R.S.1874, p. 260,273.
  6. R.S.1874, p. 321.
  7. L.1819, p. 5,6,28,77,127,334,335,352; L.1823, p. 145,148; L.1826, p. 130, 131; R.L.1829, p. 126,132-37,151-53; L.1831, p. 89,90; L.1835, p. 131, 132,136,200; L.1839, p. 71,72; R.S.1845, p. 51-55,287,342,403,437; L.1849, p. 66; L.1861, p. 234-37; R.S.1874, p. 323.
  8. L.1819, p. 201,315; L.1825, p. 147; R.L.1827, p. 366; L.1845, p. 169; R.S.1845, p. 136,366; L.1861, p. 237; R.S.1874, p. 325.
  9. R.S.1874, p. 322.



### Proceedings of Board

1. PROCEEDINGS OF BOARD OF SUPERVISORS (Papers), 1830--. 3 bdl., (2 bdl., 1830-54; 1 bdl., 1839-53); 205 f.b. (1855--). Missing: 1901. Title varies: County Commissioners Papers; Miscellaneous Papers.

Original papers on county business submitted to county commissioners' court and board of supervisors, including assignment of county orders, officials' bonds, election records, bills allowed, reports of committees, jury lists, and miscellaneous papers. Also contains County Orders, Paid and Cancelled, 1830-49, entry 9; Road Papers, 1853--, entry 19; Road Tax List, 1830-70, 1881--, entry 38; County Clerk's Reports and Orders, 1830-96, 1901--, entry 102; Taxpayers' Complaints Board of Review, 1830-1910, 1918-21, 1930, entry 277. Arr. chron. No index. Nature of recording varies. Bdl. 9 x 4 x 12; f.b. 10 x 4 x 10. 3 bdl., 174 f.b., 1830-1908, clock tower rm., 4th fl.; 31 f.b., 1909--, tax record rm., bsmt.

2. PROCEEDINGS OF BOARD OF SUPERVISORS, SUPERVISORS' REPORTS AND RECORD, 1830--. 32 v. (1-5, A-Z, 1A). Missing: 1901. Title varies: County Commissioners' Court Record.

Record of proceedings of county commissioners' court, county court as the board, and board of supervisors, showing date, roll call, minutes, business transacted, resolutions adopted, reports to board, action taken, and adjournment; includes records of officials' bonds, franchises, and motor fuel tax claims. Also contains Fund Books, 1830-98, entry 4; List of County Orders Paid, 1830-50, entry 5; Expense Accounts, 1830-57, 1865--, entry 7; School District Plots and Authority for Same, 1830-53, 1856--, entry 21; Sheriff's Register (Jury Venire), 1830-88, 1931--, entry 24; Classification, School and Road Tax, 1830-86, 1918--, entry 37; Register of Officers, 1830-56, entry 71; Record of Ballots, 1830-91, entry 87; List of Grand and Petit Jurors, 1830-54, entry 246; Complaint Record Board of Review, 1830-72, entry 278. Arr. chron. No index. 1830-1916, hdw.; 1917--, typed. 350 - 650 p. 14 x 10 x 2 - 6 x 8 x 1. Co. clk.'s off., 1st fl.

3. RECORD OF FRANCHISES, 1901. 1 v. No prior or subsequent records kept.

Franchise record showing date, type and terms of franchise, name of company, kind of service to be rendered, and volume and page of notation in Proceedings of Board of Supervisors, entry 2. Arr. chron. Indexed alph. by name of franchise. Hdw. on pr. fm. 320 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

### Disposition of Accounts

#### Appropriation of Funds

4. FUND BOOKS, 1899--. 32 v. 1830-98 in Proceedings of Board of Supervisors, Supervisors' Reports and Record, entry 2.

Record of amounts appropriated by board of supervisors for various county funds, showing name of fund, date, amounts appropriated and expended, and balance on hand. Arr. chron. Indexed alph. by name of fund. Hdw. under pr. hdgs. 150 p. 12 x 8 x  $\frac{1}{2}$ . 3 v., 1899-1905, 18 v., 1918--, co. clk.'s off. annex, 1st fl.; 11 v., 1906-17, tax record rm., bsmt.



Registers of County Orders (See also entries 299, 300)

5. LIST OF COUNTY ORDERS PAID, 1851---. 25 v. (8 not lettered, A-D, A-M). 1830-50 in Proceedings of Board of Supervisors, Supervisors' Reports and Record, entry 2.

Register of all county orders issued, showing order number, date, to whom issued, amount, and purpose of payment. Arr. by order no. No index. 1851-54, hdw.; 1855---, hdw. under pr. hdgs. 150 - 600 p. 10 x 9 x 1 - 16 x 12 x 2½. 1 v. not lettered, 1851, west strm., 4th fl.; 7 v. not lettered, 1852-69, northeast strm., 4th fl.; v. A-D, A-M, 1870---, co. clk.'s off., 1st fl.

6. M.F.T. AND CO. HY. WARRANT REGISTER (Motor Fuel Tax and County Highway Warrant Register and Allotment Record), 1922---. 1 v.

Register of county highway warrants, motor fuel tax warrants, and motor fuel tax allotments, showing warrant number, date, amount, and purpose of warrant, to whom paid, amounts received and disbursed, and amount available. Contains motor fuel tax warrants and allotments subsequent to 1928 only. Arr. chron. No index. Hdw. under pr. hdgs. 300 p. 12 x 14 x 2. Co. clk.'s off., 1st fl.

For prior records see entry 5.

7. EXPENSE ACCOUNTS, 1858-64. 2 v. 1830-57, 1865--- in Proceedings of Board of Supervisors, Supervisors' Reports and Record, entry 2.

Register of orders issued for expenses of courthouse, clerk's office, and jail, showing name of account, order number, amount, and date of payment. Arr. chron. No index. Hdw. under pr. hdgs. 100 p. 12 x 8 x ½. Tax record rm., bsmt.

8. SOLDIERS' BOUNTY BOOK, 1862-63. 1 v.

Record of orders issued for soldiers' bounties, showing name of volunteer, rank, company and regiment, residence, dates of enlistment and mustering in, by whom, and amount of bounty. Arr. chron. Indexed alph. by name of volunteer. Hdw. under pr. hdgs. 90 p. 9 x 13½ x 1. Co. clk.'s off., 1st fl.

Cancelled County Orders

9. COUNTY ORDERS, PAID AND CANCELLED, 1850---. 30 bdl. (1850-1912); 2 f.b. (1913---). Missing: 1874-87. 1830-49 in Proceedings of Board of Supervisors (Papers), entry 1.

Cancelled county orders, showing order number, to whom issued, purpose, amount, and dates of payment and cancellation. Also contains Jurors' Certificates, 1850-69, entry 10. Arr. by order no. No index. Hdw. on pr. fm. Bdl. 6 x 9 x 10; f.b. 10 x 13 x 17. 21 bdl., 1850-71, 1889-1912, clock tower rm., 4th fl.; 9 bdl., 1872-88, 2 f.b., 1913---, southeast strm., bsmt.





10. JURORS' CERTIFICATES, 1870--. 1 bdl., 2 f.b. 1850-69 in County Orders, Paid and Cancelled, entry 9.

Paid certificates for jury duty, showing certificate number, term date, name of juror, number of days of service, miles of travel, and total amount of payment. Arr. by certificate no. No index. Hdw. on pr. fm. Bdl. 4 x 9 x 7; f.b. 9 x 5 x 13. Bdl., 1870-77, clock tower rm., 4th fl.; f.b., 1878-- , co. clk.'s off., 1st fl.

11. BLIND WARRANTS (Stubs), 1915--. 8 v. No prior records.

Stub record of blind pension orders, showing order number, to whom paid, amount, and date of mailing or delivery. Arr. by order no. No index. Hdw. on pr. fm. 300 p. 3 $\frac{1}{2}$  x 5 x 1 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

12. CHECK STUBS, 1918--. 3 bdl.

Stubs of checks issued by county clerk, showing check number, to whom issued, purpose, amount, and date of payment. Arr. chron. No index. Hdw. on pr. fm. 5 x 9 x 24 - 8 x 9 x 11. 2 bdl., 1918-31, tax record rm., bsmt.; 1 bdl., 1932-- , co. clk.'s off., 1st fl.

For cancelled checks of treasurer, see entry 301.

#### Pension Funds and Applications

13. REGISTER OF BLIND PERSONS, 1915--. 1 v. (1). No prior records.

Register of applications for blind pensions, showing case number, name and address of applicant, certification by examining physician, dates of examination and report to county board, and remarks. Arr. by case no. No index. Hdw. under pr. hdgs. 192 p. 9 x 12 x 1. Co. clk.'s off., 1st fl.

#### Receipts

14. WOLF BOUNTY RECORDS, 1865-73. 1 bdl.

Receipts for wolf bounties paid, showing to whom paid, date, amount, and bounty number. Arr. chron. No index. Hdw. on pr. fm. 4 x 4 x 9. Clock tower rm., 4th fl.

For other records of bounty orders, see entry 5.

### Management of County Properties

#### Proposals, Bids, Contracts

15. COURTHOUSE RECORD, 1884-91. 1 v. Discontinued.

Proceedings of the board of supervisors relative to erection of courthouse in Galesburg, Illinois, showing appointment of building committee, plans, bids, materials, specifications, alterations, office equipment, and contracts and agreements. Arr. chron. Indexed alph. by name of subject. Hdw. 398 p. 17 x 11 x 1 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.



16. SPECIFICATIONS FOR REPAIRS, 1923. 1 bdl.

Specifications for repairs to county jail fire escape, and metal grating for the treasurer's office, showing name of contractor, date and amount of contract, and date of completion of repairs. No arr. No index. Typed. 5 x 9 x 24. Tax record rm., bsmt.

Bond Issues

17. (REGISTER OF BONDS), 1928--. 1 v. Prior records cannot be located.

Register of school district and road and bridge bond issues, showing names of issuing body and township, date, amount, and number of bonds, purpose of issue, rate of interest, and date of maturity. Arr. chron. Indexed alph. by name of twp. Hdw. under pr. hdgs. 360 p. 15 x 13 x 2. Co. clk.'s off. annex, 1st fl.

Insurance

18. INSURANCE SCHEDULES, 1855-1927. 2 bdl. Missing: 1862-1926. Discontinued. Title varies: Insurance Papers.

Insurance schedules and state auditor's certificates, showing names of agent and insurance company, state in which incorporated, amounts of gross receipts, expenses, and net receipts, notarial acknowledgment, date, and signature of agent. The act requiring these returns to be made by insurance companies was declared unconstitutional by the United States Supreme Court. Arr. chron. No index. Hdw. under pr. hdgs. 1 x 9 x 14 - 4 x 9 x 3. Southeast strm., bsmt.

Petitions

19. ROAD PAPERS, 1830-52. 2 bdl. 1853-- in Proceedings of Board of Supervisors (Papers), entry 1.

Petitions to county commissioners' court for the establishment of roads, bridges, and alteration of roads, court's appointment of examining committee, and reports of committees and appraisers. Arr. chron. No index. Hdw. 8 x 4 x 12. Clock tower rm., 4th fl.

Reports to Board

(See also entries 1, 2, 100, 317)

20. REPORT OF COMMITTEE TO LAY OFF THE COUNTY INTO TOWNS (Minutes), 1849-1901. 1 v. Discontinued.

Reports of the county court as the county board and board of supervisors on the laying off of the county into townships, the naming of same, names given to towns, record of establishing the county home at Knoxville, record of the moving of the county seat from Knoxville to Galesburg, January 30, 1873, designation of the voting places in Galesburg, and standing rules as adopted by the board of supervisors. Arr. chron. No index. Hdw. Condition poor. 312 p. 14 x 9 x 1 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

For petition to county court on removal of county seat, see entry 150.



21. SCHOOL DISTRICT PLOTS AND AUTHORITY FOR SAME, 1854-55. 1 v. 1830-53, 1856-- in Proceedings of Board of Supervisors, Supervisors' Reports and Record, entry 2.

Reports to county board of school trustees' action in purchasing plots of land for school purposes, authorized by legal voters, showing date, description of plot, location, and purpose and amount of purchase. Arr. by school district no. No index. Hdw. on pr. fm. Condition poor. 150 p. 10 x 8 x  $\frac{1}{2}$ . Tax record rm., bsmt.

For complete record of annual reports of superintendent of schools to the county board, see entry 317.

Jury Lists

(See also entries 1, 10, 102,  
147, 156, 246, 247, 270, 271)

22. JURY LIST, 1872--. 4 v. (2 not numbered, 2, 3).

List of petit jurors as selected by the county board, showing names of juror and court, residence, dates selected and drawn, and term date. Also contains List of Grand Jurors, 1872-90, entry 23; and List of Jurors in Insanity Cases, 1872-1903, 1932--, entry 25. Arr. chron. No index. Hdw. under pr. hdgs. 478 p. 14 x 10 x 2. 2 v. not numbered, 1872-98, tax record rm., bsmt.; v. 2, 3, 1899--, co. clk.'s off., 1st fl.

23. LIST OF GRAND JURORS, 1891--. 1 v. (1). 1872-90 in Jury List, entry 22.

List of grand jurors, showing names of juror, township, and court. Arr. chron. Indexed alph. by name of juror. Hdw. under pr. hdgs. 400 p. 12 x 10 x 2. Co. clk.'s off., 1st fl.

24. SHERIFF'S REGISTER (Jury Venire), 1889-1930. 1 v. 1830-88, 1931-- in Proceedings of Board of Supervisors, Supervisors' Reports and Record, entry 2.

Jury venire showing names of jurors, address, number of calls, and remarks. Arr. chron. No index. Hdw. under pr. hdgs. 700 p. 12 x 12 x 3. Southeast str., bsmt.

25. LIST OF JURORS IN INSANITY CASES, 1904-31. 1 v. 1872-1903, 1932-- in Jury List, entry 22.

List of jurors in insanity cases, showing names of jurors and court, residence, and dates of selection and drawing. Arr. chron. No index. Hdw. under pr. hdgs. 100 p. 16 x 16 x 1. Co. clk.'s off., 1st fl.



## II. COUNTY CLERK

Forerunner of the present county clerk was the clerk of the county commissioners' court. This court was the county administrative body from the organization of Knox County in 1830 to 1849.<sup>1</sup> The Constitution of 1848 and laws of 1849 created a new judicial branch of county government presided over by the county judge and entitled the "county court," and provided for the quadrennial election of a "clerk of the county court."<sup>2</sup> In addition to his duties as clerk of the judicial court, the incumbent was also to act as clerk of the administrative branch of government, which consisted of the county judge and two justices of the peace sitting at special terms. In 1853 Knox County elected the township form of government, necessitating the election of a board of supervisors to supplant the county court as the county administrative body.<sup>3</sup> Accordingly, the clerk of the county court became ex-officio clerk of the board of supervisors.

The above-mentioned clerks all performed the duties of a county clerk as well as those of clerks of a judicial or administrative body. In fact, legislation frequently referred to these incumbents as "county clerk" when defining duties relating to county business as distinct from duties as a clerk of a judicial or administrative body. The Constitution of 1870 specifically provided for a county clerk, who has continued to act to the present in this capacity, and also as clerk of the county board and clerk of the county and probate courts.<sup>4</sup> The revised laws of 1874 adopted the use of a distinction of titles for each of his ex-officio capacities, applying the title "county clerk" only when referring to his duties as such. It is the performance of these duties that gives rise to the records dealt with in this section.

The clerk was an appointee of the county commissioners' court from 1830 to 1837.<sup>5</sup> In the latter year the office became elective for a four-year term;<sup>6</sup> and a two-year term became effective in 1847.<sup>7</sup> A \$1000 bond was set.<sup>8</sup> The clerk of the county court served for a four-year term and was bonded in

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1. L.1819, p. 175.

2. Constitution of 1848, Art. V, sec. 16, 18, 19; L.1849, p. 63.

3. Constitution of 1848, Art. VII, sec. 6; L.1849, p. 190-229; L.1851, p. 35-78.

4. Constitution of 1870, Art. VI, sec. 18 and Art. X, sec. 8; R.S.1874, p. 260, 273.

5. L.1819, p. 175.

6. L.1837, p. 49.

7. L.1845, p. 28.

8. L.1819, p. 176, 177.





the sum of \$3000.<sup>1</sup> The Constitution of 1870 and laws of 1874, establishing the office of county clerk, provided for his election for a quadrennial term, and the amount of his bond was to be set by the county board.<sup>2</sup> His bond is recorded upon the records of his office, and deposited with the clerk of the circuit court. He is required to take oath, and is commissioned by the Governor.<sup>3</sup> The county seal is kept by the clerk, and used by him when he is required to use an official seal.

In general, the county clerk's performance of his functions results in records relating to the following: taxation, vital statistics, licenses, and bonds. Various officials and agencies having authority over some of these matters report to, or deposit records with, the county clerk, who, in this manner acts as a coordinating factor in the execution of local and state affairs. In regard to other of these matters the clerk is required to perform duties on his own behalf and retain the records resulting from such performance. Illustrations of both of these procedures may be found by examining the various duties and records relating to taxation.

It is the duty of the county clerk to procure all books and blanks used in the assessment and collection of taxes, and to list in such books the lands and lots subject to taxation.<sup>4</sup> These books are turned over to the supervisor of assessments, who has the township assessors enter the valuations against each piece of property listed, completes revisions and corrections upon complaint of property owners, and returns the books in duplicate to the county clerk.<sup>5</sup> Personal property assessments are handled in essentially the same manner. The board of review then makes adjustments on complaints and equalizes assessments between districts, certifying corrections and revisions to the county clerk.<sup>6</sup> The county clerk then reports the entire assessment list to the state tax commission for equalization, the equalized list then being used by the county clerk in ascertaining tax rates and extending taxes.<sup>7</sup>

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1. L.1849, p. 62,63.
  2. Constitution of 1870, Art. X, sec. 8; R.S.1874, p. 260,273.
  3. R.S.1874, p. 321.
  4. L.1867, p. 106; L.1872, p. 19,32; L.1903, p. 297. During the period of the first constitution such books and lists were prepared by the auditor of public accounts and turned over to the clerk of the county commissioners' court. L.1825, p. 173; L.1827, p. 329; L.1839, p. 3,4; L.1847, p. 79.
  5. The first assessment officer was the county treasurer. L.1819, p. 315; R.L.1827, p. 328-36. In 1839 this function was performed by the district assessors, who received from the county clerk copies of the auditor's transcripts. L.1839, p. 3,4. The treasurer resumed these duties in 1844, L.1843, p. 231; until the adoption of the township organization in 1853 saw the township assessors acting in each township. L.1851, p. 39. The treasurer now acts as ex-officio supervisor of assessments. L.1898, p. 36-44.
  6. L.1898, p. 36-44.
  7. L.1919, p. 718.



The state tax commission also certifies to the county clerk the assessments of the capital stock of corporations and railroad and telegraph companies, it being the duty of the clerk to extend these taxes, and retain the books after use by the collector.<sup>1</sup>

The books are next turned over to the county collector, who, after collection, returns lists of collections, together with lists of uncollected real and personal property taxes.<sup>2</sup> The county clerk attends all tax sales, prepares a list of all sales and issues duplicate reports thereof, records affidavits of purchases of property for taxes, and keeps a record known as the "tax judgment, sale, redemption, and forfeiture record."<sup>3</sup>

An extensive group of vital statistics records is kept by the county clerk, including records relating to births and deaths, marriages, physicians and midwives. It is interesting to note that the first legislation in regard to the keeping of vital statistics was included in the act for the establishment of medical societies.<sup>4</sup> One section of this act made it the duty of every physician to keep a record of births, deaths, and diseases occurring within the vicinity of his practice and to transmit such record to his medical society, whereupon the record was to be published in the newspapers. In 1842 it was provided that a parent could appear before the clerk of the county commissioners' court and make affidavit as to the birth of a child, and the eldest next of kin of a deceased person could similarly appear and make affidavit as to death.<sup>5</sup> It is probable that the tenor of the above mentioned laws explains the fact that no birth or death records exist in Knox County prior to 1877, the first law, 1819, requiring no public record to be kept, and the 1842 law providing that affidavits "may" be made. The act of 1877 creating the state board of health required that all births and deaths in the county be reported to the county clerk by the physicians and accoucheurs supervising such events.<sup>6</sup> Teeth were put into this and subsequent laws by providing penalties for non-compliance. In 1901 death certificates, issued by physicians, midwives, or coroners, were to be presented to town clerks who issued burial permits and forwarded the certificates to the county clerk.<sup>7</sup> In 1903 certificates of death were to be turned over to the state board of health, which board, in turn, delivered to the county clerk all certificates so received.<sup>8</sup> In 1915 the act to pro-

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1. L.1871-72, p. 11,13,16; L.1937, p. 1011.
  2. L.1849, p. 121,122; L.1871-72, p. 55; L.1931, p. 759. In 1821 the auditor of public accounts was charged with the collection of taxes on nonresident's lands. L.1821, p. 182.
  3. L.1839, p. 3; L.1871-72, p. 48; L.1879, p. 250.
  4. L.1819, p. 233.
  5. L.1842-43, p. 210-12.
  6. L.1877, p. 209.
  7. L.1901, p. 301-4. .
  8. L.1903, p. 315-18.



vide for the registration of all births, stillbirths and deaths provided that the local registrars, the township clerks, deposit a complete set of such records with the county clerk who was charged with the binding and indexing, or recording, and safe keeping of such records.<sup>1</sup> From the earliest date the legislation in regard to these matters provided that the clerk retain the abstracts and certificates, keep a record of births and deaths, maintain alphabetical indexes, and issue certified copies of certificates upon request. The clerk has also been required to prepare a register of all physicians and accoucheurs in the county.<sup>2</sup>

From the date of establishment of Knox County the county clerk, or clerk of the county commissioners' court, has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.<sup>3</sup>

In 1827 the clerk was required to keep a separate register of marriages in addition to his file of certificates.<sup>4</sup> Before 1877 persons desiring to marry were required to secure licenses from the county clerk only when they had not previously published such intention, but in that year the securing of a license was made mandatory.<sup>5</sup> Although a record of applications for marriage license has been kept by the clerk in this county since 1883, an act of 1937 appears to be the first legislation requiring the maintenance of such a record.<sup>6</sup> The same act provides that persons desiring to marry shall present to the county clerk a certificate setting forth that such person is free from venereal diseases, such certificates to be filed with the application for license to marry.<sup>7</sup> Indexes to marriage records have been kept in Knox County since 1830.

The county clerk is charged with a number of duties relating to elections, such as preparing and issuing blank ballots, poll books, and certificates of election, and keeping a record of registers of elections, petitions, marked ballots, tally sheets, and election returns which are transmitted to him by the judges of election.<sup>8</sup> Abstracts of returns were formerly prepared by the clerk, but these are now originated by the election commissioners or judges of election and deposited with the clerk. Returned ballots are destroyed by the clerk six months after election, provided no contest, in which the ballots are needed, is in progress.<sup>9</sup> In 1889, when returns of elections for school trustees were made to the county clerk, he was charged with furnishing to the county superintendent of schools

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1. L.1915, p. 660.

2. L.1877, p. 209.

3. L.1819, p. 27.

4. L.1827, p. 289.

5. L.1877, p. 130.

6. L.1937, p. 909.

7. L.1937, p. 910.

8. L.1819, p. 25,206; L.1821, p. 77; L.1823, p. 54,55; R.L.1829, p. 59, 60; L.1845, p. 41,42; L.1865, p. 54; L.1871-72, p. 380; L.1885, p. 142; L.1911, p. 310; L.1929, p. 421.

9. L.1917, p. 444.



a list of all such trustees.<sup>1</sup> Now the clerk does not enter into the procedure, the school trustees canvassing the returns and certifying directly to the superintendent of schools.<sup>2</sup>

The bonds of a number of officials are required to be transmitted to the clerk to be filed and entered in a book maintained for that purpose.<sup>3</sup> Justices' of the peace and constables' oaths, bonds, and securities are approved by the clerk and entered in a separate book in accordance with statutory requirement. This book shows the date on which each justice of the peace and constable was sworn into office, and the date of commission by the Governor. Resignations in these offices are made to the county clerk, who enters such fact in the justices' and constables' record.<sup>4</sup>

The clerk is also charged with issuing licenses to peddlers, taverns, ferries, etc., and keeping records of the same.<sup>5</sup> Other records kept are those relating to estrays; registers of professionals, including physicians, midwives, optometrists, dentists, chiropodists, and veterinarians;<sup>6</sup> list of county officers; list of town officers which is furnished annually by the town clerk;<sup>7</sup> record of notaries public;<sup>8</sup> and book of state civil service rules.<sup>9</sup> Referring to his list of town officers, the county clerk reports annually to the state department of public health the names and addresses of the supervisor, town assessor, and town clerk of each of the townships of Knox County.<sup>10</sup>

Included in the provision that the county clerk be charged with the care and custody of all records, books and papers appertaining to and filed or deposited in his office<sup>11</sup> are those duties as clerk of the board of supervisors, wherein he is required to record the proceedings of the board and to file all their books, records and accounts.<sup>12</sup> Also included are his record keeping duties as ex-officio clerk of the county court, with its re-

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1. L.1889, p. 271,322.
  2. L.1909, p. 342.
  3. R.S.1845, p. 136,395; L.1861, p. 237,238; R.S.1874, p. 325; L.1895, p. 185.
  4. L.1895, p. 185.
  5. L.1819, p. 79; R.L.1827, p. 320; R.L.1833, p. 439; R.L.1837, p. 175.
  6. L.1819, p. 206,207; L.1877, p. 209; L.1881, p. 79; L.1899, p. 273, 275,280; L.1917, p. 588; L.1923, p. 436; L.1927, p. 600; L.1935, p. 990.
  7. L.1861, p. 226; R.S.1874, p. 1065.
  8. L.1871-72, p. 575; R.S.1874, p. 721; L.1875, p. 88.
  9. L.1905, p. 113; L.1911, p. 222.
  10. L.1923, p. 480.
  11. R.S.1874, p. 322.
  12. L.1861, p. 238.





sulting duties in relation to probate matters.<sup>1</sup> The clerk is also required to keep jury lists<sup>2</sup> and a book in which he enters details as to orders upon the treasurer. He is further required to maintain alphabetical indexes of all records and papers in his office, and to supply a copy of any of the same to any person so requesting and paying the required fee.<sup>3</sup>

## Taxation

(See also entries 1, 2, 100, 101, 203, 273-287, 298)

Lists of Taxable  
Property, Levies

26. COUNTY CLERK'S RECORD OF TAXES LEVIED AND AMOUNTS WANTED, 1874--. 67 bdl. (1874--); 1 f.b. (1916--). Prior records cannot be located.

County clerk's record of taxes levied, showing date, total amount of assessed property in township, school district numbers, amount of levy for each school district, city or village, total assessed value, amount of road and bridge levy, tax rate, and certificates from all the tax-levying bodies of the county, showing the amount of taxes wanted for school districts, villages, townships, roads, and bridges. Also contains Special Assessments, 1874-1926, 1935--, entry 34. Arr. chron. No index. Hdw. under pr. hdgs. Bdl. 5 x 4 x 9; f.b. 9 x 4 x 13. 1 bdl., 1874-81, northeast strm., bsmt.; 39 bdl., 1882-1909, tax record rm., bsmt.; 27 bdl., 1910--, northeast strm., bsmt.; 1 f.b., 1916--, co. clk.'s off., 1st fl.

27. SCHOOL LEVIES, 1845--. 28 bdl., 1 f.b., 9 envelopes.

Missing: 1849-52, 1856-59, 1861. Prior records cannot be located.

Certificates of levy, showing school district number, amount of money needed for operating expenses and repairs for ensuing year; school plats 1845-85, showing boundaries, school district number, location of schools, and legal description of school lands. Arr. by school district no. No index. Nature of recording varies. Bdl. 4 x 8 $\frac{1}{2}$  x 2 $\frac{1}{2}$ ; f.b. 18 x 24 x 28; envelopes 9 x 9 x 12. 28 bdl., 1845-85, clock tower rm., 4th fl.; 1 f.b., 1886-1926, northeast strm., bsmt.; 9 envelopes, 1927--, co. clk.'s off., annex, 1st fl.

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1. R.S.1874, p. 260.
  2. R.S.1874, p. 630.
  3. R.S.1874, p. 321.



## 28. ASSESSOR'S BOOKS, REAL ESTATE AND PERSONAL PROPERTY, 1839--.

1433 v.

(Knox County, 1839-58. 45 v. Missing: 1851, 1857.

Cedar Township, 1864--. 64 v. Missing: 1865, 1868, 1870, 1872-74.

Chestnut Township, 1860--. 60 v. Missing: 1861-72, 1881, 1884, 1890, 1901-2.

Copley Township, 1873--. 63 v. Missing: 1881.

City of Abingdon, 1923--. 14 v.

City of Galesburg, 1879--. 148 v. Missing: 1880, 1883.

City of Knoxville, 1875--. 61 v. Missing: 1882.

Elba Township, 1873--. 60 v. Missing: 1881, 1884, 1898-99.

Galesburg Township, 1871--. 64 v. Missing: 1872-73.

Haw Creek Township, 1876--. 56 v. Missing: 1879-81, 1901-2.

Henderson Township, 1887--. 58 v. Missing: 1883, 1889.

Indian Point Township, 1877--. 57 v. Missing: 1881, 1891.

Knox Township, 1859--. 63 v. Missing: 1860-74.

Lynn Township, 1875--. 59 v. Missing: 1876, 1879, 1902.

Maquon Township, 1877--. 55 v. Missing: 1878-80, 1898, 1900.

Ontario Township, 1874--. 62 v. Missing: 1879.

Orange Township, 1876--. 61 v.

Persifer Township, 1874--. 63 v.

Reo Township, 1874--. 45 v. Missing: 1875-76, 1881-83, 1885-93, 1898, 1901-2.

Salem Township, 1874--. 55 v. Missing: 1881-83, 1886-89, 1898.

Sparta Township, 1874--. 62 v. Missing: 1882.

Truro Township, 1860--. 60 v. Missing: 1861-73, 1879-82.

Victoria Township, 1877--. 56 v. Missing: 1881, 1885-86, 1893.

Walnut Grove Township, 1874--. 42 v. Missing: 1875-76, 1880-83, 1885-98, 1900).

1835-38 in Tax List (Assessor's and Collector's Book), entry 39.

Assessor's lists of real estate and personal property, including dog tax record, with name of person assessed, description of property, value, improvements, total value, tax spread, equalized value, amount of assessment, and remarks. In 1875, city of Knoxville was set off from Knox township; in 1879, city of Galesburg from Galesburg township; and in 1923, city of Abingdon from Indian Point township. Also contains Tabular Statement of Assessments and Taxes, 1839-73, entry 33; Mortgage List, 1839-1912, 1915--, entry 36; Tax List, Non-resident, 1839-47, 1849--, entry 40. Arr. by sec., twp., and range. Personal property arr. alph. by name of owner. 1839-52, hdw.; 1853--, hdw. under pr. hdgs. 100 - 400 p. 14 x 9 x  $\frac{1}{2}$  - 18 x 15 x 2. 1341 v., 1839-1932, tax record rm., bsmt.; 92 v., 1933--, co. clk.'s off., 1st fl.

## 29. ASSESSMENTS RETURNS RAILROADS, TELEGRAPH AND TELEPHONE COS., 1864--.

14 bdl. Missing: 1887-91, 1894-97.

Assessment returns made by railroad, telegraph, and telephone companies, showing amounts of trackage, real estate, and personal property, itemized value, and description of property in each township. Arr. chron. No index. Hdw. under pr. hdgs. 8 x 4 x 10. 11 bdl., 1864-1912, clock tower rm., 4th fl.; 2 bdl., 1913-36, northeast str., bsmt.; 1 bdl., 1937--, co. clk.'s off. annex, 1st fl.



30. RAILROAD TAX BOOKS, 1864--. 17 v. (1 not numbered, 1-9, 7 not numbered).

List of taxable railroad property, showing name of railroad company, equalized value, rate, tax spread, and total tax. Also contains City of Galesburg, Illinois, R.R. Property Tax List Except Rolling Stock and Tracks, 1864-72, 1900--, entry 31, and Statement of Railroad Taxes, 1864-72, 1884--, entry 32. Arr. chron. Indexed alph. by name of railroad. Hdw. under pr. hdgs. 228 p. 18 x 20 x 2. 1 v. not numbered, 1864-69, clock tower rm., 4th fl.; v. 1-9, 1870-1908, tax record rm., bsmt.; 7 v. not numbered, 1909--, co. clk.'s off., 1st fl.

31. CITY OF GALESBURG, ILLINOIS R.R. PROPERTY TAX LIST EXCEPT ROLLING STOCK AND TRACKS, 1873-99. 1 v. 1864-72, 1900-- in Railroad Tax Books, entry 30.

Lists of taxes levied and collected on Illinois railroad property, other than rolling stock and trackage, located in the city of Galesburg. Arr. chron. No index. Hdw. under pr. hdgs. 25 p. 16 x 10 x  $\frac{1}{2}$ . Tax record rm., bsmt.

32. STATEMENT OF RAILROAD TAXES, 1873-83. 1 v. 1864-72, 1884-- in Railroad Tax Books, entry 30.

Lists of railroad taxes collected by townships, showing location, where taxable, schedule as returned by the railroad company, valuation by town assessors, rate percent of equalized value by county board, and amount of taxes collected. Arr. chron. No index. Hdw. under pr. hdgs. Condition poor. 224 p. 18 x 12 x 2. Northeast str., bsmt.

33. TABULAR STATEMENT OF ASSESSMENTS AND TAXES, 1874--. 5 v. Missing: 1894-99, 1906-26. 1839-73 in Assessor's Books, Real Estate and Personal Property, entry 28.

Tabular statement of assessments, showing name of township, valuations by local assessor, as revised by supervisors of assessments and corrected by board of review, for lands, railroad and personal property, tax spread, and total tax. Arr. chron. No index. Hdw. under pr. hdgs. 150 p. 18 x 17 x  $\frac{1}{2}$ . 2 v., 1874-93, 1900-1905, northeast str., bsmt.; 3 v., 1927--, co. clk.'s off. annex, 1st fl.

34. SPECIAL ASSESSMENTS, 1927-34. 3 bdl. 1874-1926, 1935-- in County Clerk's Record of Taxes Levied and Amounts Wanted, entry 26.

Special assessment sheets showing name of owner, legal description of property, equalized value, purpose of levy, total, and remarks. Arr. chron. No index. Hdw. under pr. hdgs. 5 x 9 x 12. Northeast str., bsmt.

35. SPECIAL ASSESSMENT RECORD, 1878--. 21 v. (A-U).

Record of and copies of petitions for special assessments, showing names of city or town and improvement, term date, details of local improvements, dates of posting of notices and ordinances, estimated cost of improvement, and amount of special assessment. Arr. chron. Indexed alph. by name of improvement. 1878-1915, hdw.; 1916--, typed. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.



36. MORTGAGE LIST, 1913-14. 1 v. 1839-1912, 1915-- in Assessor's Books, Real Estate and Personal Property, entry 28.  
List of mortgages reported by circuit clerk for taxation, showing date, instrument number, names of mortgagor and mortgagee, amount of mortgage, equalized value by county board, and amount of tax. Arr. chron. No index. Hdw. under pr. hdgs. Condition poor. 100 p. 16 x 18 x 1. Southeast strn., bsmt.
37. CLASSIFICATION, SCHOOL AND ROAD TAX, 1887-1917. 12 v. 1830-86, 1918-- in Proceedings of Board of Supervisors, Supervisors' Reports and Record, entry 2.  
Record of classification of taxes by school and road districts, showing in whose name assessed, section, lot, and block numbers, description of school and road district, equalized value, amount of tax, and total value. Arr. by sec. and range. No index. Hdw. under pr. hdgs. 160 p. 16 x 14 x  $\frac{1}{2}$ . Tax record rm., bsmt.
38. ROAD TAX LIST, 1871-80. 3 bdl. 1830-70, 1881-- in Proceedings of Board of Supervisors (Papers), entry 1.  
Tax lists for road work and improvements, showing if tax paid by work or cash, in whose name assessed, location of road, kind of improvement, amounts of assessment and tax, and date and amount of payment. Arr. chron. No index. Hdw. under pr. hdgs. 9 x 4 x 12. Clock tower rm., 4th fl.
39. TAX LIST (Assessor's and Collector's Book), 1835-44. 1 v. Discontinued.  
Collector's and assessor's tax lists of personal and real property, showing owner's name, description of property, kind of tax, equalized value by state tax commission, amount of tax, date and by whom paid, and remarks. Subsequent to 1838 and 1844 respectively, Assessor's Books, Real Estate and Personal Property, entry 28, and Collector's Books, entry 41, kept separately. Arr. by sec., twp., and range. No index. Hdw. under pr. hdgs. Writing faded, paper poor. 150 p. 18 x 14 x 1. Northwest strn., 4th fl.
40. TAX LIST, NON-RESIDENT, 1848. 1 v. 1839-47, 1849-- in Assessor's Books, Real Estate and Personal Property, entry 28.  
Tax list of real estate of non-resident owners, showing name of owner, legal description of property, equalized value, amount of tax, and remarks. Arr. by sec. and range. No index. Hdw. 300 p. 15 x 12 x 2. Tax record rm., bsmt.

#### Collections, Abatement

41. COLLECTOR'S BOOKS, 1845--. 320 v.  
(Lands, 1845-50, 1855--. 87 v.  
Personal Property, 1851--. 84 v. Missing: 1852.  
Lots, 1855--. 84 v.  
Lands and Lots, 1851-54. 6 v.  
Lots and Personal Property, 1850. 1 v.





City of Galesburg, Personal Property, 1908--. 29 v.  
City of Galesburg, Lots and Blocks, 1908--. 29 v.).  
1835-44 in Tax List (Assessor's and Collector's Book),  
entry 39.

Collector's books showing names of owner, township, and city, legal description of property, tax spread, amount and date paid, and amount delinquent. Also contains Abstract of Railroad, Telegraph and Telephone Co.'s, 1845-1908, 1918--, entry 43; and State and County Tax Account, Distribution of Taxes, 1845-1910, entry 282. Arr. alph. by name of twp. and by lot and block nos. No index. 1845-50, hdw.; 1841--, hdw. under pr. hdgs. 200 - 600 p. 16 x 10 x 1 - 16 x 18 x 3. 270 v., 1845-1926, tax record rm., bsmt.; 50 v., 1927--, co. clk.'s off., 1st fl.

42. ABSTRACT OF FOOTINGS, 1886--. 41 v. Prior records cannot be located.

Abstract of footings of the several pages of the collector's books, showing date, page number, totals of each page, kind of tax, and grand totals. Arr. chron. No index. Hdw. under pr. hdgs. 50 - 300 p. 10 x 13 x  $\frac{1}{2}$  - 14 x 20 x  $1\frac{1}{2}$ . 1 v., 1886, west strm., 4th fl.; 40 v., 1887--, co. clk.'s off., annex, 1st fl.

43. ABSTRACT OF RAILROAD, TELEGRAPH AND TELEPHONE CO'S, 1909-17. 16 v. 1845-1908, 1918-- in Collector's Books, entry 41.

Abstract of taxes for each township, showing date, names of railroad and telegraph or telephone company, amounts of state, county, town, road, bridge, school, city, and total tax. Arr. chron. No index. Hdw. under pr. hdgs. 20 p. 9 x 12 x  $\frac{1}{2}$ . Tax record rm., bsmt.

44. ABATEMENT RECORD, 1922--. 15 v. Prior records cannot be located.

Lists of abated personal property taxes, showing date, name of person assessed, equalized value, tax spread, amounts of interest and costs, total due, and remarks. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 200 p. 13 x 10 x 1. 12 v., 1922-32, northeast strm., bsmt.; 3 v., 1933--, treas.'s off., 1st fl.

45. DELINQUENT TAX BOOKS, 1834--. 129 v.

List of delinquent real estate and personal property taxes, including special assessments, showing name of owner, description of property, equalized value, tax spread, and total tax. Also contains Delinquent Non-resident Tax List, 1847--, entry 46. Arr. by sec. and range. No index. 1834-65, hdw.; 1866--, hdw. under pr. hdgs. 200 p. 15 x 10 x 1. 54 v., 1834-88, west strm., 4th fl.; 69 v., 1889-1932, northeast strm., bsmt.; 6 v., 1933--, treas.'s off., 1st fl.

46. DELINQUENT NON-RESIDENT TAX LIST, 1833-46. 1 v. 1847-- in Delinquent Tax Books, entry 45.

List of delinquent taxes of non-resident owners, showing years of delinquency, name and address of owner, legal description of property, kind of tax, interest, and total tax. Arr. by sec. and range. No index. Hdw. 200 p. 16 x 12 x 2. Tax record rm., bsmt.



47. DELINQUENT SPECIAL ASSESSMENTS, 1892---. 8 bdl.

Documents concerning delinquent special assessments, showing purpose of assessment, name of owner, equalized value, amounts of tax, interest, costs, and total delinquent. Arr. by twp. and range. No index. Hdw. under pr. hdgs. 4 x 4 x 12. Tax record rm., bsmt.

For prior records of delinquent special assessments, see entry 45.

48. BANK TAX COLLECTION BOOKS, 1921. 21 v. Discontinued.

Duplicate collector's tax books furnished banks in the county for the collection of taxes, showing name of owner, legal description of property, equalized value, tax spread, total tax, by whom paid, and date of payment. Real estate arr. by twp. and range; personal property arr. alph. by name of owner. No index. Hdw. under pr. hdgs. 150 p. 17 x 14 x 1. Northeast strm., bsmt.

Judgment, Sale and  
Redemption

49. TAX SALE CERTIFICATES OF PURCHASE AND REDEMPTION, 1835---.

3 bdl., 2 f.b.

Tax sale certificates of purchase and redemption, showing name of purchaser or redeemer, amount of purchase, legal description of property, and dates of sale, redemption, and filing. Arr. chron. No index. Hdw. on pr. fm. Bdl. 9 x 4 x 12; f.b. 8 x 4 x 10. Bdl., 1835-61, clock tower rm., 4th fl.; f.b., 1862---, co. clk.'s off., 1st fl.

50. AFFIDAVITS FOR TAX DEEDS, 1851---. 3 f.b., 2 bdl.

Missing: 1891-97.

Affidavits for tax deeds, showing name of purchaser, consideration, legal description of property, and signatures of owner and county clerk. Arr. chron. No index. Hdw. on pr. fm. F.b. 9 x 4 x 13; bdl. 7 x 4 x 10. 2 f.b., 1851-1903, clock tower rm., 4th fl.; 2 bdl., 1904-33, northeast strm., bsmt.; 1 f.b., 1934---, co. clk.'s off., 1st fl.

51. AFFIDAVIT FOR TAX DEED RECORD, 1849---. 5 v. (1 not numbered, 2-5).

Copies of affidavits for tax deeds, showing date, legal description of property, amount of tax, name of purchaser, and certificate of publisher as to publication notices. Arr. chron. Indexed alph. by name of purchaser. 1849-1925, hdw.; 1926---, typed. 592 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

52. TAX JUDGMENT, SALE, REDEMPTION AND FORFEITURE RECORD, 1880---. 12 v.

Record of sales of real estate for taxes, showing date of sale, legal description of land, number of acres sold, amounts of taxes, interest, and penalties, total tax, name of purchaser or redeemer, and date of redemption. Also contains Petition and Precept for Sale for Taxes of Former Years, entry 54, and Tax Collector's List of Land Sold for Taxes, entry 57. Prior to 1880 Tax Sale Record, entry 53, and Tax Judgment Record, entry 55, kept separately. Arr. by sec. and range. No index. Hdw. under pr. hdgs. 600 p. 16 x 20 x 3. 9 v., 1880-1933, tax record rm., bsmt.; 3 v., 1934---, co. clk.'s off., 1st fl.



53. TAX SALE RECORD, 1823-79. 8 v. (1 not labeled, 1, 2 not labeled, B, D-F). Title varies: Auditors Tax Sales. 1880-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 52.

Lists of real estate sold for taxes, showing names of owner and purchaser, legal description of property, amount of taxes, penalties, costs, and interest due, date, and amount of sale. Also contains Tax Collector's List of Land Sold for Taxes, 1823-55, 1858-79, entry 57. Arr. chron. No index. 1823-54, hdw.; 1855-79, hdw. under pr. hdgs. 200 - 300 p. 14 x 8 x 1 - 14 x 9 x  $1\frac{1}{2}$ . Tax record rm., bsmt.

54. PETITION AND PRECEPT FOR SALE FOR TAXES OF FORMER YEARS, 1846-63. 5 v. 1840-45, 1864-79 in Tax Judgment Record, entry 55; 1880-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 52.

Petitions for sale of delinquent lands, orders for, and record of sales, showing dates, names of petitioners, owners, and purchasers, legal description of property, amounts of taxes, interest, costs, and purchase price. Arr. by sec. and range. No index. Hdw. 100 p. 15 x 11 x 1. Tax record rm., bsmt.

55. TAX JUDGMENT RECORD, 1840-79. 12 v. (7 not lettered, B, 1 not lettered, D-F). 1880-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 52.

Tax judgments on delinquent property, showing petition for judgment, names of owner and petitioner, legal description of property, valuation, amounts of taxes, penalties, and costs due, dates of petition, sale or redemption, and court orders. Also contains Petition and Precept for Sale for Taxes of Former Years, 1840-45, 1864-79, entry 54. Arr. chron. No index. 1850-57, hdw.; 1858-79, hdw. under pr. hdgs. 300 p. 14 x 9 x  $1\frac{1}{2}$ . 2 v. not lettered, 1840-49, west strm., 4th fl.; 5 v. not lettered, B, D-F, 1850-79, tax record rm., bsmt.

56. COUNTY JUDGE'S ORDER FOR SALE OF LOTS IN KNOXVILLE, 1854-60. 1 v. Discontinued.

List of lots sold for delinquent taxes, showing name of owner, lot and block numbers, subdivision, equalized value, date and amount of sale, and remarks. Arr. chron. No index. Hdw. under pr. hdgs. 125 p. 12 x 8 x  $\frac{1}{2}$ . Tax record rm., bsmt.

57. TAX COLLECTOR'S LIST OF LAND SOLD FOR TAXES, 1856-57. 2 v. 1823-55, 1858-79 in Tax Sale Record, entry 53; 1880-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 52.

List of lands sold for unpaid taxes, showing name of owner, legal description of property, assessed value, equalized value by state tax commission, and reason for default. Arr. by sec. and range. No index. Hdw. under pr. hdgs. 266 p. 16 x 10 x 1. Tax record rm., bsmt.



## Vital Statistics

Births (See also  
entries 96, 291)

## 58. INDEX TO BIRTHS, 1877--. 4 v.

Index to births, showing names of child, parents, and physician or midwife, certificate number, and book and page of record. Arr. alph. by name of child. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2½. Co. clk.'s off., 1st fl.

## 59. BIRTH CERTIFICATES (and Stillbirths), 1877--. 5 bdl., 21 v.

Certificates of births, showing date, sex of child, number of children, names of child, parents, and physician or midwife, and residence, color, age, birthplace, and occupation of parents. Subsequent to 1916 original certificates bound in loose-leaf form. Contains scattered stillbirth certificates to 1915. 1877-1915, arr. chron.; 1916--., arr. alph. by name of child. For index, see entry 58; for index to stillbirths, see entry 61. Hdw. on pr. fm. Bdl. 5 x 9 x 24; v. 600 p. 9 x 10 x 3. Co. clk.'s off., 1st fl.

For other stillbirth certificates, see entry 62.

## 60. REGISTER OF BIRTHS, 1877--. 32 v. (1-11, 21 not numbered).

Birth register showing certificate number, place and date of birth, sex and color of child, names of child, parents, and physician or midwife, residence of parents, number of children, and occupation of father. Arr. chron. For index, see entry 58. 1877-1915, hdw. under pr. hdgs.; 1916--., hdw. and typed under pr. hdgs. 300 p. 18½ x 12½ x 2. Co. clk.'s off., 1st fl.

Deaths (See also  
entries 96, 291)

## 61. INDEX TO DEATHS, 1877--. 4 v.

Index to deaths and stillbirths, showing certificate number, name and address of deceased, date of death, and book and page of record. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

62. DEATHS AND STILLBIRTHS, 1877--. 4 bdl., 12 v. Title varies:  
Death Certificates.

Certificates of deaths and stillbirths, showing names of deceased, physician, parents, and undertaker, date, place and cause of death, residence, marital status, age, sex, color, occupation, and place of birth. Subsequent to 1915 original certificates bound in loose-leaf form. 1877-1915, arr. chron.; 1916--., arr. alph. by name of deceased. For index, see entry 61. Hdw. on pr. fm. Bdl. 8 x 10 x 24; v. 600 p. 11 x 16½ x 3½. 4 bdl., 1877-1915, tax record rm., bsmt.; 12 v., 1916--., co. clk.'s off. annex, 1st fl.

For other stillbirth certificates, see entry 59.





63. REGISTER OF DEATHS AND STILLBIRTHS, 1877--. 25 v. (1-13, 1877-1919; 12 not numbered, 1916--).

Register of deaths and stillbirths, showing certificate number, names of deceased, physician, and undertaker, address, sex, color, and age of deceased, date, place and cause of death, and place and date of burial. Arr. chron. For index, see entry 61. Hdw. under pr. hdgs. 440 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

64. STILLBIRTHS, 1878-95. 1 v. Discontinued.

Record of stillbirths, showing names of parents, sex and color of child, place of birth, date and time of death, physician's certificate as to cause of death, and place and date of burial. Arr. alph. by surname of mother. For index, see entry 61. Hdw. on pr. fm. 300 p. 18 x 12 x 1 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

For subsequent registration of stillbirths, see entry 63.

### Marriages

65. INDEX TO MARRIAGES, MALE - FEMALE, 1830--. 8 v. (1-4, male, 1830--; 1-4, female, 1830--).

Index to marriages, showing register number, names of male and female, and book, page, and license numbers. Arr. alph. by names of male and female. 1830-64, hdw.; 1865--, hdw. under pr. hdgs. Writing faded, paper poor. 150 p. 16 x 12 x 1 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

66. MARRIAGE LICENSES (Original), 1830-1930. 132 bdl. 1931-- loose-leaf form bound in Register of Marriages (Record), entry 68.

Original marriage licenses showing license number, names of bride, groom, and parents, residence, occupation, age, place of birth, mother's maiden name, number of marriages, where and by whom married, signatures of witnesses, and certificate of officiating officer. Arr. by license no. For index, see entry 65. Hdw. on pr. fm. 4 x 4 x 10. Tax record rm., bsmt.

67. MARRIAGE REGISTER, 1830--. 9 v. (1, A, B, E-J).

Register of marriages, showing license number, date, names of male and female, date and by whom married, acknowledgment, and dates of return and recordation. Arr. chron. For index, see entry 65. 1830-67, hdw.; 1868--, hdw. under pr. hdgs. 253 p. 18 x 12 x 1. Co. clk.'s off., 1st fl.

68. REGISTER OF MARRIAGES (Record), 1878--. 12 v. (1-12).

Record of marriages, using simple form 1878-1917, and board of health form 1918-30, showing names of male, female, witnesses, and clerk, date, license number, date and place of ceremony, by whom married, and dates of return and registration of certificate. 1931-- record consists of Marriage Licenses (Original) in loose-leaf form, entry 66. Arr. by license no. For index, see entry 65. Hdw. on pr. fm. Writing faded. 600 p. 16 x 12 x 3. Co. clk.'s off., 1st fl.



69. APPLICATION FOR MARRIAGE LICENSE, 1883--. 46 v. (1-46).

Prior records cannot be found.

Applications for marriage licenses, showing date, application number, names, addresses, ages, and oaths of applicants, name of county clerk, and consent of parents for minors. Arr. by application no. Indexed alph. by name of applicant. Hdw. on pr. fm. 600 p. 15 $\frac{1}{2}$  x 11 x 2 $\frac{1}{2}$ . V. 1-45, 1883-1935, southeast strm., bsmt.; v. 46, 1936--., co. clk.'s off., 1st fl.

Census

70. CENSUS OF INDUSTRY, AGRICULTURE AND PERSONS, 1855, 1870,  
1880. 4 bdl. Discontinued. Records kept by Bureau of  
Census, Washington, D. C.

Social statistics, enumeration census, census of agricultural products, livestock, industrial products, and establishments of Knox County, taken at intervals of ten and fifteen years, showing total number of inhabitants, bushels of grain of each kind, number of each kind of animal, and number of industries and their products. Arr. by sec., twp., and range. No index. Hdw. under pr. hdgs. 14 x 20 x 1 $\frac{1}{2}$ . Clock tower rm., 4th fl.

Licenses and Registers

Registers of Officers (See also  
entry 103)

71. REGISTER OF OFFICERS, 1857--. 3 v. (1 not numbered, 2, 3).  
1830-56 in Proceedings of Board of Supervisors, Supervisors'  
Reports and Record, entry 2.

Register of county officers elected, showing names of officers, sureties, and office, amount of bond, dates of election, qualification, commission, and notarial acknowledgment. Arr. chron. Indexed alph. by name of officer. Hdw. under pr. hdgs. 250 p. 12 x 14 x 2. Co. clk.'s off., 1st fl.

72. LISTS OF TOWN OFFICERS, 1857--. 2 bdl., 2 f.b. 1835-56 in  
Miscellaneous Records, entry 101.

Reports of election of township officers, showing names of officer elected and sureties, title of office, date of election, amount of bond, and date of filing. Arr. chron. No index. Hdw. under pr. hdgs. Bdl. 9 x 4 x 12; f.b. 9 x 4 x 12. Bdl., 1857-85, clock tower rm., 4th fl.; f.b., 1886, co. clk.'s off., 1st fl.

73. TOWNSHIP OFFICERS (Register), 1857--. 3 v.

Register of township officers, showing names of officers elected or appointed, address, length of term, and remarks. Arr. chron. No index. Hdw. under pr. hdgs. Binding poor. 79 p. 14 x 16 x 1. 2 v., 1857-1907, co. clk.'s west strm., 4th fl.; 1 v., 1908--., co. clk.'s off., 1st fl.

For other records of township officers, see entries 72, 101.



Professional Licenses  
and Registers

74. MEDICAL REGISTER (Record), 1877--. 3 v.

Copies of certificates of physicians, osteopaths, and chiroprodists, issued by state board of health, showing certificate number, date, name and address of physician, number of years in practice, date of diploma, from what college, and date of recording. Arr. chron. Indexed alph. by name of professional. Hdw. on pr. fm. 200 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

75. PHYSICIANS' CERTIFICATE RECORD (Register), 1877--. 1 v. (1).

Prior records cannot be located.

Register of physicians', chiroprodists', and osteopaths' certificates, showing certificate number, college graduated from, name and address of practitioner, certification of state board of health, and date of filing. Also contains Record of Certificate of Veterinary Surgeons to 1899, entry 78, and Record of Certificates of Registered Nurses, 1877-1908, entry 80. Arr. chron. Indexed alph. by name of practitioner. Hdw. under pr. hdgs.; nurses' certificates hdw. on pr. fm. 288 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

76. DENTISTS' CERTIFICATE RECORD (Register), 1898--. 1 v. No prior records.

Register of dentists, showing license number, name, residence, and nativity of dentist, years of practice, and dates of license, diploma, and filing. Arr. alph. by name of dentist. No index. Hdw. under pr. hdgs. 200 p. 18 x 11 x 1. Co. clk.'s off., 1st fl.

77. DENTAL CERTIFICATES, 1898--. 1 v. (1). Prior records cannot be located.

Copies of dental certificates, showing name of dentist, certificate number, and dates of issue and filing. Arr. chron. Indexed alph. by name of dentist. Hdw. and typed on pr. fm. 160 p. 18 x 11 x 1. Co. clk.'s off., 1st fl.

78. RECORD OF CERTIFICATE OF VETERINARY SURGEONS, 1900--. 1 v.

(1). Last entry 1907. 1877-99 in Physicians' Certificate Record (Register), entry 75.

Register of veterinary surgeons' certificates, showing name and address of veterinary, name of institution granting diploma, names of members of licensing board, and dates of issue and filing. Arr. chron. Indexed alph. by name of veterinary. Hdw. under pr. hdgs. Condition poor, writing faded. 300 p. 18 x 12 $\frac{1}{2}$  x 2. Co. clk.'s off., 1st fl.

79. REGISTRY OF ARCHITECTS, 1899-1917. 1 v. Discontinued.

Copies of architects' certificates, showing name and address of architect, signature of board members, and dates of registry and filing. Arr. chron. Indexed alph. by name of architect. Hdw. on pr. fm. 200 p. 13 x 8 x 1. Co. clk.'s off., 1st fl.



80. RECORD OF CERTIFICATES OF REGISTERED NURSES, 1909-19. 2 v.  
(1, 2). 1877-1908, 1920-- in Physicians' Certificate Record  
(Register), entry 75.

Copies of nurses' certificates, showing name of nurse, education, qualification, certificate number, dates of issue and filing, and signatures of members of board of examiners. Arr. chron. Indexed alph. by name of nurse. Hdw. and hdw. on pr. fm. 300 p. 18 x 12 $\frac{1}{2}$  x 2. Co. clk.'s off., 1st fl.

Militia Roll (See also  
entry 124)

81. MILITIA MUSTER ROLL AND AFFIDAVITS, 1861-63. 5 bdl. Discontinued.  
Record used for duration of Civil War only.

Lists of all men qualified for military service in Knox County and affidavits or proof of enlistment, showing names of township and volunteer, and dates of affidavit and enlistment. Arr. alph. by name of twp. No index. Hdw. Writing faded, paper poor. 6 x 24 x 8. Clock tower rm., 4th fl.

Stallion Certificates (See also  
entry 128)

82. PEDIGREES (Stallion Certificates), 1888-1915. 1 v.

Discontinued. Certificates now registered by State Board of Agriculture, Division of Animal Husbandry, Springfield, Illinois. Copies of certificates of registered stallions, showing name and address of owner, name, age, and breed of sire, where stationed, certificate number, and date of registration. Arr. chron. Indexed alph. by name of owner. Hdw. on pr. fm. 160 p. 18 x 12 x 1. Co. clk.'s off., 1st fl.

Estrays, Marks and Brands

83. ESTRAY NOTICES, 1869-77. 1 bdl. Discontinued.

Notices of estrays, showing description of animal and brands or marks, by whom taken up, and date. Arr. chron. No index. Hdw. on pr. fm. 4 x 9 x 4. Clock tower rm., 4th fl.

84. ESTRAY RECORD, 1863--. 2 v. (A, B).

Record of estrayed livestock, showing description of animal, where and by whom found, date, valuation as appraised by local justice of peace or magistrate, date of notice, and name of justice or police magistrate. Arr. chron. No index. Hdw. under pr. hdgs. 157 p. 15 x 10 x 1 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

85. LIVESTOCK MARKS - KNOX COUNTY, 1845--. 1 v. Last entry 1921.

Register of marks and brands on livestock, showing description of marks and brands, kind of animal, name of owner, and date of recordation. Arr. chron. No index. Hdw. under pr. hdgs. 175 p. 8 $\frac{1}{2}$  x 6 $\frac{1}{2}$  x 1. Co. clk.'s off., 1st fl.





Dog License (See also  
entries 28, 297)

86. DOG LICENSE BOOKS AND TAGS, 1923--. 5 f.b.  
Dog license receipts and tags showing names of dog and owner, sex of dog, amount of tax, and license tag number. Arr. chron. No index. Hdw. on pr. fm. 4 x 8 x 16 - 3 $\frac{1}{2}$  x 14 x 19. 4 f.b., 1923-27, northeast rm., bsmt.; 1 f.b., 1928--, co. clk.'s off. annex, 1st fl.

Elections  
(See also entries 1, 103)

87. RECORD OF BALLOTS, 1892--. 2 v. 1830-91 in Proceedings of Supervisors, Supervisors' Reports and Record, entry 2.  
Record of ballots issued to townships and precincts, showing names of precinct, township, and clerk, number of ballots, dates of delivery and return, and by whom returned. Arr. chron. No index. Hdw. under pr. hdgs. 150 p. 14 x 12 x 2. Co. clk.'s off., 1st fl.

88. COPY OF REPUBLICANS' REGISTER, 1926--. 6 bdl.  
Copies of Republican register of voters, showing name and address of voter, precinct number, and number of elections in which he has voted. Arr. by precinct no. No index. Hdw. 9 x 12 x 1. Southeast strm., bsmt.

89. TABULATED STATEMENT OF VOTES, 1896-1908. 1 f.b. Prior and subsequent records destroyed.  
Newspaper clippings of official vote of Knox County, showing name and address of voter, precinct number, and officers elected. Arr. chron. No index. Printed. 16 x 12 x  $\frac{1}{2}$ . Tax record rm., bsmt.

90. ELECTION PETITIONS, 1922-26. 1 bdl. Prior and subsequent original petitions destroyed.  
Original petitions of candidates for election, showing names of candidate and office, names and addresses of qualified voters, and date of notarization. Arr. chron. No index. Hdw. 5 x 9 x 24. Tax record rm., bsmt.

91. TALLY SHEETS AND POLL BOOKS, 1882. 2 bdl. Prior and subsequent records destroyed.  
Poll books, election returns, and tally sheets; poll books showing line number, name of voter, address, precinct, and ward; election returns showing names of candidates and number of votes received; tally sheets showing number of votes cast for each candidate, and certification by judges and clerks of election. Arr. chron. No index. Hdw. under pr. hdgs. 9 x 4 x 12. Clock tower rm., 4th fl.



Bonds of Officers  
(See also entries 1, 2, 72, 129, 248)

92. JUSTICES' OF THE PEACE AND CONSTABLES' BONDS, 1879--.

3 v. (1 not numbered, 5, 6). Title varies: Justice  
Official Bond.

Copies of bonds of justices of the peace and constables, showing names of justice or constable and sureties, date, amount, and conditions of bond, notarial acknowledgment, and date of filing. Arr. chron. Indexed alph. by name of principal. Hdw. on pr. fm. 412 - 440 p., 18 x 12 x 2. Co. clk.'s off., 1st fl.

93. ASSESSORS' BOND RECORD, 1898--. 1 v. (A).

Copies of town assessors' bonds, showing names of assessor and sureties, amount, date, and conditions of bond, notarial acknowledgment, and date of filing. Arr. chron. Indexed alph. by name of assessor. Hdw. on pr. fm. 296 p. 18 x 12 $\frac{1}{2}$  x  $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

94. RECORD OF COLLECTORS' BONDS, 1853-1918. 3 v. (1 not lettered, B, C). Discontinued.

Record of township collectors' bonds, showing names of principal and sureties, amount, date, and condition of bond, notarial acknowledgment, and date of filing. Arr. chron. Indexed alph. by name of principal. 1853-78, hdw.; 1879-1918, hdw. on pr. fm. 200 - 280 p. 12 x 9 x 1 - 18 x 12 x 1 $\frac{1}{2}$ . 1 v., 1853-78, west strm., 4th fl.; v. B, 1879-1905, cir. clk.'s strm., bsmt.; v. C, 1906-18, cir. clk.'s off. annex, 1st fl.

Fees, Receipts, and Expenditures

95. COUNTY CLERK'S JOURNAL, 1903--. 16 v. Prior records cannot be located.

County clerk's record of receipts and disbursements of county funds showing amounts received, by whom paid, purpose, date, to whom paid, on what account, and amount. Arr. chron. No index. Hdw. under pr. hdgs. 328 p. 14 x 12 x 1 $\frac{1}{4}$ . 14 v., 1903-30, tax record rm., bsmt.; 2 v., 1931--., co. clk.'s off., 1st fl.

96. BIRTH AND DEATH REPORTS, 1902--. 4 v. (1-4).

County clerk's accounts with registrars of births and deaths, showing name and address of registrar, number of births and deaths reported, order number, and amount and date paid. Arr. by order no. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 1 $\frac{1}{4}$ . V. 1-3, 1902-24, tax record rm., bsmt.; v. 4, 1925--., co. clk.'s off., 1st fl.

For other records of birth and death reports, see entry 291.

97. RECEIPTS AND EXPENDITURES, 1897--. 7 v. (3-9). Prior records cannot be located.

County clerk's daily record of miscellaneous and probate fees earned and received, and office expenditures, showing date, from whom and amount received, date and amount paid out, purpose, and balance available. Arr. chron. No index. Hdw. under pr. hdgs. 328 - 700 p. 14 x 12 x 1 $\frac{1}{4}$  - 17 x 15 x 2 $\frac{1}{2}$ . V. 3-7, 1897-1918, tax record rm., bsmt.; v. 8, 9, 1919--., co. clk.'s off., 1st fl.



County Clerk - Maps and Plats;  
Miscellaneous Records

(98-103)

Maps and Plats  
(See also entries 100, 318)

98. SCHOOL PLATS, 1850-80. 3 bdl.

Certified plats of school districts, showing name of township, school district number, boundaries, legal description of school properties, and date of filing. Arr. by sec. and range no. No index.  $8\frac{1}{2}$  x 4 x 2. Clock tower rm., 4th fl.

99. SCHOOL PLATS, 1858--. 4 v.

School district plats showing name of township, section and school district numbers, and locations of schools and boundaries at time of annual report. Arr. chron. Indexed alph. by name of twp. Hdw. on pr. fm. 100 - 250 p. 9 x 6 x  $\frac{1}{2}$  - 18 x 12 x  $1\frac{1}{2}$ . Co. clk.'s off. annex, 1st fl.

Miscellaneous Records

100. (MISCELLANEOUS PAPERS), 1888-96. 1 bdl.

Tax levies, school and road plats, county treasurer's reports to board of supervisors, state board rates, and auditor's reports and correspondence. Arr. chron. No index. Hdw. 12 x 9 x 4. Clock tower rm., 4th fl.

101. MISCELLANEOUS RECORDS, 1835-90. 1 f.b.

Published lists of delinquent taxes, old mortgages, tax statements of real estate and personal property, and receipts for fees and fines collected and disbursed. Also contains Lists of Town Officers, 1835-56, entry 72. Arr. chron. No index. Hdw. and hdw. on pr. fm. 10 x 13 x 17. Southeast strm., bsmt.

102. COUNTY CLERK'S REPORTS AND ORDERS, 1897-1900. 1 bdl. 1830-96, 1901-- in Proceedings of Board of Supervisors (Papers), entry 1.

County clerk's orders, election expense accounts, jury lists, report of convention committee, and lists of election judges and clerks and of justices and police magistrates elected. Arr. chron. No index. Hdw. and hdw. on pr. fm.  $1\frac{1}{8}$  x 4 x  $8\frac{1}{2}$ . Clock tower rm., 4th fl.

103. MISCELLANEOUS RECORD, 1900--. 4 v. (1-4).

Miscellaneous records, including assignments in estates, affidavits, appointment and oaths of deputy sheriff and deputy county clerk, minutes of board of school trustees, petitions for school trustees, election petitions, school election notices, election returns, maps of consolidated school districts, minutes of board of education, powers of attorney, revocation of power of attorney, and oaths of surveyors. Arr. chron. Indexed alph. by name of subject or principal. 1900-1930, hdw.; 1931--, typed. 596 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.



### III. RECORDER

The recorder of Knox County was originally appointed by the Governor with the advice and consent of the senate.<sup>1</sup> His bond, set at \$1500, was to be filed with the secretary of state. In 1829 the amount of bond was reduced to \$500.<sup>2</sup> The office became elective in 1835, for a four-year term, and a bond was to be approved by the county commissioners' court.<sup>3</sup> The term was reduced to two years in 1845.<sup>4</sup> With the establishment of the second constitution the office of recorder was abolished, the duties of such office being delegated to the circuit court clerk in an ex-officio capacity.<sup>5</sup> The present constitution reestablished the office of recorder in counties having a population of 60,000 or more, but continued the provision of the prior constitution for other counties.<sup>6</sup> The population of Knox County never having reached the minimum set by the Constitution, the circuit court clerk has retained his ex-officio duties as recorder. The amount of the recorder's bond was set at \$5000 in 1872, and the county judge was to give approval.<sup>7</sup> This amount was raised in 1874 to \$10,000 for counties having the population of Knox. A copy of the bond is entered upon the records of the county clerk.

Assistants and deputies are appointed by the recorder in a number as determined by a rule of the circuit court and as entered upon the court record.<sup>8</sup> The compensation of the assistants and deputies is set by the county board. Written oaths of deputies are filed with the secretary of state.<sup>9</sup>

In accordance with the duty of the recorder to record at length all written instruments, the following records are required to be kept:

1. An entry book in which data relating to date and order of receipt of instruments to be recorded or filed, and the names of parties and location of property, with a brief description of the premises, are entered. Each of such instruments is numbered by the recorder with the corresponding number of the entry. The entry book serves as a table of contents, with descriptive memoranda, for all instruments recorded at length or filed in the recorder's office.

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1. L.1819, p. 19.

2. L.1829, p. 117.

3. L.1835, p. 166.

4. L.1845, p. 28.

5. Constitution of 1848, Art. V, sec. 19; L.1849, p. 64.

6. Constitution of 1870, Art. X, sec. 8; R.S.1874, p. 833.

7. L.1872, p. 645.

8. Constitution of 1870, Art. X, sec. 9; R.S.1874, p. 833.

9. R.S.1874, p. 833.





2. Well-bound books for recording at length any instrument in writing entitled to be recorded, in the order of time of its reception. Separate books are allowed to be kept for the recording of different classes of instruments and two distinct series of document numbers may be used for recording documents received to be recorded. One series preceded by the letter "B" is for the recordation of bills of sales of personal property, chattel mortgages, releases, extensions, and assignments thereof. The other series of document numbers is for all other instruments received for recordation.
3. Grantors' and grantees' indexes. In the grantors' index are recorded the name of the grantor in alphabetical order and the name of the grantee. The grantees' index shows the name of the grantee in alphabetical order and the name of the grantor. Each index also shows the date of the instrument, time of receipt, kind of instrument, consideration, book and page in which it is recorded or the number under which it is filed and a brief description of the premises.
4. Indexes to each book of record in which are entered in alphabetical order, the name of each grantor and grantee and page in which the instrument is recorded. This series indexes instruments such as powers of attorney, chattel mortgages, and those recorded by corporations.
5. An index to recorded maps and plats, based on location of property. Sometimes arranged by section, township, and range.
6. An abstract book, in effect indexing records by showing for each tract every conveyance or incumbrance recorded, its execution and filing date, and the book and page of its recordation. Series optional with county board.
7. A separate book to record certificates of honorable military, aviation, and naval discharges.<sup>1</sup>

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1. L.1819, p. 18,20,21; R.L.1829, p. 116,117; L.1847, p. 69; L.1853, p. 254; L.1867, p. 148; L.1869, p. 2; L.1871-72, p. 645,646; L.1873, p. 144; R.S.1874, p. 834-37; L.1917, p. 652; L.1925, p. 521; L.1933-34, Third Sp. Sess., p. 214.



The recorder, in recording at length any instrument in writing, is permitted to make a handwritten or typewritten transcription of the same, or he may make photographic or photostatic reproduction, or he may use a combination of these methods of recordation.<sup>1</sup> In addition to the instruments received for recordation, the recorder is required upon receipt to file any instrument such as any mortgage, trust deed, or conveyance of personal property having the effect of a mortgage or lien upon such property which is endorsed with the words, "This instrument to be filed, but not recorded." The recorder marks such instrument "filed" and enters the time of receipt and files the same in his office.<sup>2</sup>

#### Entry Books

##### 104. ENTRY BOOKS, DEED ENTRY BOOKS, 1836--. 49 v. (1-49).

Entries of recorded instruments, showing date of entry, instrument and entry numbers, names of grantor and grantee, date and kind of instrument, record book and page of entry, consideration, legal description of property, amount of fees, and to whom delivered. Arr. by entry no. No index. 1836-55, hdw.; 1856--, hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

##### 105. LAND BOOK (Land Patents), 1817-55. 1 v. Discontinued.

Land entry book showing name of patentee, instrument number, legal description of land, number of acres, and date of entry. First entries antedate formation of county by eight years. Arr. by instrument no. No index. Hdw. Writing faded, paper poor. 240 p. 18 x 12 x 1. Cir. clk.'s record rm., 1st fl.

##### 106. LAND ENTRY BOOKS, 1819-46. 1 v. Discontinued.

Record of land patents and a few subsequent transfers of land included in townships 3 to 8 north, and ranges 1 to 5 east of fourth P. M. (Principal meridian), Illinois, (no name of county given), showing names of patentee, grantor, and grantee, instrument number, legal description of land, number of acres, and date of entry. This land extends from the southwest corner of Knox County, south 36 miles and east 30 miles. First entries antedate formation of county by six years. Arr. by instrument no. No index. Hdw. 250 p. 13 x 8½ x 1½. Southeast strn., bsmt.

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1. L.1933-34, Third Sp. Sess., p. 214.

2. L.1927, p. 521; L.1929, p. 592-94; L.1933-34, Third Sp. Sess., p. 860.



General Indexes  
(See also entries 132-135)

107. LAND INDEX, 1817--. 40 v.

Index to deeds, mortgages, and releases, showing book and page of entry, dates of instrument and filing, names of grantor and grantee, kind of instrument, and remarks. Arr. by sec., twp., and range. Land indexed by sec.; lots indexed by subdivisions. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

108. GENERAL INDEX, 1821--. 2 v. (1, 2).

Index to deed records, showing names of grantor and grantee, kind of instrument, record book and page of entry, date of recording, and remarks. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 360 p. 18 x 12 x 2. Cir. clk.'s record rm., 1st fl.

109. TRACT INDEX (Deed and Mortgage Index), 1817-83. 7 v.

(6 v., 1817-83; 1 v., 1817-58). Discontinued.

Index to deed and mortgage records, showing date of filing, names of grantor and grantee, kind of instrument, book and page of record, legal description of property, and remarks. This index has been transcribed into Land Index, entry 107. Arr. by sec., twp., and range. Hdw. under pr. hdgs. Writing faded, paper poor. 225 - 640 p. 17 x 10 x 1 - 17 x 11 x 2. 6 v., 1817-83, west strn., 4th fl.; 1 v., 1817-58, southeast strn., bsmt.

110. TRACT INDEXES, BLOCKS AND ADDITIONS TO CITY OF GALESBURG, (Deed and Mortgage Index), 1838-1914. 6 v. (1, 1, 2, 2, 3, 3). Discontinued.

Index to instruments filed covering blocks and additions to city of Galesburg, showing book and page of record, dates of instrument and filing, names of grantor and grantee, and lot and block numbers. This index has been transcribed into Land Index, entry 107. Arr. alph. by name of subdivision. Hdw. under pr. hdgs. Writing faded. 450 p. 18 x 12 x 2 $\frac{1}{2}$ . Southeast strn., bsmt.

111. LAND INDEX FOR TWP. 9N RANGE 1E, 1820-82. 1 v. Discontinued.

Index to instruments filed for recording, showing book and page of record, date of filing, names of grantor and grantee, kind of instrument, and remarks. This index has been transcribed into Land Index, entry 107. Arr. by quarter sec. Hdw. under pr. hdgs. Paper very poor. 400 p. 16 x 10 x 2. Cir. clk.'s record rm., 1st fl.

112. DEED INDEX, 1842-82. 6 v. Discontinued.

Index to deed records, showing names of grantor and grantee, lot, block, book and page numbers, kind of instrument, and date of recording. This index has been transcribed into General Index, entry 108. Arr. alph. by name of grantee. Hdw. under pr. hdgs. 30 p. 18 x 11 x  $\frac{1}{2}$ . West strn., 4th fl.



\* 113. GENERAL INDEX, GRANTOR-GRANTEE, 1855-76. 4 v. Discontinued. Index to deeds, showing names of grantor and grantee, description of property, date of recording, and book and page of entry. This index has been transcribed into General Index, entry 108. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 392 - 640 p. 16 x 10 x 2 - 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

# Instruments Recorded

## General (See also entry 142)

114. DEED RECORD, 1817--. 210 v. (A-H, 1-14, 14 $\frac{1}{2}$ , 15-18, 18 $\frac{1}{2}$ , 19-80, 82-163, 165, 167, 169-71, 174, 177, 184-92, 196, 197, 199-202, 205, 206, 208, 209, 213, 218, 225, 241, 251-53, 255, 256, 270, 283, 300).

Recordation of all deeds, and mortgages not segregated by type, showing dates, names of grantor and grantee, consideration, legal description of property, affidavit of notary, and date of filing. Prior to 1830, records consist of transcriptions from records of other counties for lands now part of Knox County. Also contains Quitclaim Deed Record, 1817-68, entry 115; Master's Deed Record, 1817-96, entry 116; Warranty Deed Record, 1817-1900, entry 117; and Mortgages (Mortgage Record), 1817-38, entry 118, including Release Records and Chattel Mortgages, entries 120 and 121. Arr. chron. For index, 1817--., see entry 107; for grantor-grantee index, 1821--., see entry 108. 1817-71, hdw.; 1872-1925, hdw. on pr. fm.; 1926--., typed. 480 - 640 p. 14 x 10 x 2 $\frac{1}{2}$  - 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

## Deeds (See also entry 142)

115. QUITCLAIM DEED RECORD, 1869--. 19 v. (81-301, not consecutive). 1817-68 in Deed Record, entry 114.

Copies of quitclaim deeds, showing names of grantor and grantee, legal description of property, consideration, and date of filing. Arr. chron. For index, see entry 108. Typed on pr. fm. 480 - 640 p. 14 x 10 x 2 $\frac{1}{2}$  - 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

116. MASTER'S DEED RECORD, 1897--. 4 v. (166, 195, 248, 299). 1817-96 in Deed Record, entry 114.

Copies of master in chancery deeds, showing names of grantor, grantee, and master, legal description of property, consideration, and date of filing. Arr. chron. For index, see entry 108. Hdw. and typed on pr. fm. 480 - 640 p. 14 x 10 x 2 $\frac{1}{2}$  - 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

117. WARRANTY DEED RECORD, 1901--. 44 v. (175-296, not consecutive). 1817-1900 in Deed Record, entry 114.

Recordation of warranty deeds, showing names of grantor and grantee, legal description of property, consideration, and date of filing. Arr. chron. For index, see entry 108. Hdw. and typed on pr. fm. 480 - 640 p. 14 x 10 x 3 - 18 x 10 x 2 $\frac{1}{2}$ . Cir. clk.'s record rm., 1st fl.





Mortgages - Real Property (See  
also entries 36, 101)

## 118. MORTGAGES (Mortgage Record), 1839---. 157 v. (1-157).

1817-38 in Deed Record, entry 114.

Recordation of real estate mortgages, showing names of mortgagor, mortgagee, and witnesses, instrument number, date, amount, description of property, and notarial acknowledgment. Also contains Release Records, 1839-65, entry 120, and Chattel Mortgages, 1839-51, entry 121. Arr. chron. For index, 1839---, see entry 107; for sep. index, 1839-83, see entry 109; for sep. index, 1839-86, see entry 119. 1839-67, hdw.; 1868---, hdw. on pr. fm. 640 p. 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

## 119. INDEX BOOKS, 1839-86. 11 v. Discontinued.

Index to mortgage records, showing names of mortgagor and mortgagee, date, lot, block, and book and page numbers. This index supplanted by Land Index, entry 107. Arr. alph. by names of mortgagor and mortgagee. Hdw. 150 p. 18 x 12 x 1. West strm., 4th fl.

## 120. RELEASE RECORDS, 1866---. 37 v. (A-Z, 1-11). 1817-38 in Deed Record, entry 114; 1839-65 in Mortgages (Mortgage Record), entry 118.

Recordation of mortgage releases, showing names of mortgagor and mortgagee, date, book and page of entry, certificate of satisfaction and release, notarial acknowledgment, and date of filing. Arr. chron. For index, see entry 107. Hdw. on pr. fm. Writing faded. 500 p. 18 x 12 x 2 $\frac{1}{2}$ . Cir. clk.'s record rm., 1st fl.

Mortgages - Chattel

## 121. CHATTEL MORTGAGES, 1852---. 119 v. (1-118, 1852---; 1 not numbered, 1903-6). Title varies: Record Book Chattel Mortgages. 1817-38 in Deed Record, entry 114; 1839-51 in Mortgages (Mortgage Record), entry 118.

Recordation of chattel mortgages, showing instrument number, date, names of mortgagor and mortgagee, consideration, list of property, terms of mortgage, rate of interest, and notarial acknowledgment. Arr. chron. For index, see entry 122; 1903-6 also indexed alph. by names of mortgagor and mortgagee. 1852-63, hdw.; 1864-1916, hdw. on pr. fm.; 1917---, typed. 200.- 640 p. 13 x 8 $\frac{1}{2}$  x 1 $\frac{1}{2}$  - 18 x 12 $\frac{1}{2}$  x 3. V. 1-62, 1852-1910, 1 not numbered, 1903-6, southeast strm., bsmt.; v. 63-118, 1911---, cir. clk.'s off., 1st fl.

## 122. CHATTEL MORTGAGE INDEX, 1852---. 7 v. (1-7).

Index to chattel mortgages, showing names of mortgagor and mortgagee, instrument number, date, and book and page of record. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. hdgs. 350 p. 18 x 12 x 2. V. 1-4, 1852-1918, southeast strm., bsmt.; v. 5-7, 1919---, cir. clk.'s record rm., 1st fl.



Certificates of Levy

123. CERTIFICATION OF LEVY, SALE, AND REDEMPTION, 1842--. 5 v. (A-E).

Copies of sheriff's certificates of levy, sale, and redemption, showing term date, names of plaintiff, defendant, and sheriff, date and time of sale, legal description of property, amount, date of sale or redemption, and date of filing. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 640 p. 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

Other Instruments (See also entry 142)

124. SOLDIERS' AND SAILORS' DISCHARGE RECORD, 1865--. 4 v. (3 not numbered, 2).

Copies of certificates of discharge of soldiers and sailors, showing serial number, name of soldier or sailor, rank, organization, reasons for and date of discharge, date and place of birth, age at enlistment, occupation, physical description, signature of commanding officer, record of service, and date of filing. Arr. chron. Indexed alph. by name of soldier or sailor. 1865-1931, hdw. on pr. fm.; 1932--, typed and hdw. on pr. fm. 640 p. 18 x 12 x 3. Cir. clk.'s off., 1st fl.

125. NAMES OF LANDS, 1895--. 1 v. (1).

Register of farm names, showing names of farm and owner, address, legal description, and instrument number. Arr. alph. by name of owner. No index. Hdw. under pr. hdgs. 480 p. 15 x 17 x 2 $\frac{1}{2}$ . Cir. clk.'s off., 1st fl.

126. FEDERAL LAND BANK AFFIDAVITS, 1919--. 1 v. (1). Prior records cannot be located.

Copies of Federal land bank affidavits, showing name of affiant, date of affidavit as to undisputed and peaceful possession of land for 20 years or more, and of cultivation and proof of same, and dates of acknowledgment and filing. Arr. chron. No index. Hdw. on pr. fm. 640 p. 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

127. FEDERAL TAX LIEN NOTICES AND CERTIFICATE OF DISCHARGE, 1923--. 1 v.

Federal tax lien notices and certificate of discharge, showing document and collector's serial numbers, name of residence of taxpayer, date of notice, amount of tax and penalty imposed, nature of claim, description of property, filing fee, book and page of record, and date of filing. Arr. chron. Indexed alph. by name of defendant. Hdw. 150 p. 12 x 6 x 1. Cir. clk.'s off., 1st fl.



128. STALLION REGISTER, 1910-17. 3 v. (1-3). Discontinued.

Record now kept by State of Illinois Department of Agriculture,  
Division of Animal Husbandry, Springfield, Illinois.

Register of certificates issued and renewed for stallions used for commercial breeding purposes, showing names of owner and stallion, registration number, location or residence of owner, and dates of certificate and registration. Arr. chron. Indexed alph. by name of owner. Hdw. under pr. hdgs. 300 p. 18 x 12 x 1½. Southeast str., bsmt.

For stallion certificates kept by county clerk, see entry 82.

129. TOWNSHIP COLLECTORS' BONDS, 1872-1918. 4 v. (2 not lettered, B, C). Township collectors discontinued in 1918.

Copies of township collectors' bonds, showing names of principal and sureties, date, amount, and conditions of bond, acknowledgment, and dates of filing, and approved by township supervisor and town clerk. Arr. chron. Indexed alph. by name of principal. Hdw. on pr. fm. 250 p. 18 x 12 x 2. 2 v. not lettered, v. B, 1872-1905, southeast str., bsmt.; v. C, 1906-18, cir. clk.'s off. annex, 1st fl.

For prior records, see entry 94.

130. ABSTRACTS TOWN PROPERTY, KNOX CO., 1835-61. 1 v. Discontinued.

Record of transfers of town lots, showing description of property conveyed, names of town, grantor and grantee, dates of deed and filing, record book and page number, consideration, and remarks. This record transcribed into Land Index, entry 107. Arr. chron. Indexed alph. by name of town. Hdw. under pr. hdgs. Binding poor. 502 p. 21 x 15 x 2½. Southeast str., bsmt.

131. ABSTRACTS, 1817-33. 3 v. (1-3). Discontinued.

Record of land transfers, showing date of transfer, names of grantor and grantee, address, and legal description of land. This record transcribed into Land Index, entry 107. Arr. chron. No index. Hdw. Writing faded, paper poor. 635 p. 18 x 12 x 2½. Southeast str., bsmt.

Special Tract Indexes  
(See also entries 107-113)

132. LAND INDEX GALESBURG TWP. 11 N. 1 E., 1838--. 1 v.

Index of entries affecting titles to real estate, showing book and page of record, dates of instrument and filing, names of grantor and grantee, kind of instrument, and remarks. Plats precede section for the entries affecting same. Arr. by quarter sec. Hdw. under pr. hdgs. 500 p. 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.



133. TRACT INDEX, LOTS AND BLOCKS, CITY OF GALESBURG, 1838--.

4 v. (1-4).

Index to entries affecting title to lots and blocks for blocks 1 to 122, showing book and page of record, dates of instrument and filing, names of grantor and grantee, lot and block numbers, kind of instrument, and remarks. Arr. by block no. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. Cir. clk.'s record rm., 1st fl.

134. TRACT INDEX (Additions to City of Galesburg), 1842--.

6 v. (1-6).

Index to entries affecting title to lots and blocks in additions to city of Galesburg, showing book and page of record, dates of instrument filing, names of grantor and grantee, lot and block numbers, kind of instrument, and remarks. Arr. alph. by name of subdivision. Hdw. under pr. hdgs. 550 p. 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.

135. INDEX TO LOTS AND TRACTS IN TOWNS OUTSIDE CITY OF GALESBURG, 1851--. 1 v.

Index to transfer of lots and tracts, showing names of grantor and grantee, lot, block, book and page numbers, and date of filing. Preceding the entries for each town is a plat showing the original town with lot and block numbers. Arr. alph. by name of town. Hdw. under pr. hdgs. 640 p. 18 x 12 x 2. Cir. clk.'s record rm., 1st fl.

Maps and Plats

136. KNOX COUNTY, 1865. 1 map.

Political map showing 20 townships each in 36 sections, with names of township and owners of land, school district and section numbers, cemeteries, railroads, electric railroads, churches, and public highways. Peoria, Illinois: W. A. Howat & Son, publisher. Printed.  $1\frac{1}{2}$  in. to 1 mi. 56 x 43. Cir. clk.'s record rm., 1st fl.

137. MAPS OF KNOX COUNTY, 1838--. 17 v.

Political maps of Knox County, showing counties and population according to census, locations of railroads and cornerstones, names of streets, dimensions, block numbers, and number of acres. Artist, T. J. Bonderer, Galesburg, Illinois. Printed.  $\frac{1}{2}$  in. to 1 mi.  $16\frac{1}{2}$  x  $14\frac{1}{2}$  x 1. Cir. clk.'s record rm., 1st fl.

138. GOVERNMENT SURVEYS, 1855. 1 v.

Plats of original government surveys, showing legal description, scale, date, name of surveyor, locations of corners and corners of section, witness trees, inches diameter, courses they bear, links distant, and number of acres. 1 in. to 40 links. Arr. by sec., twp., and range. Indexed by twp. and range. 100 p. 18 x 14 x  $2\frac{1}{2}$ . Cir. clk.'s record rm., 1st fl.





Recorder - Fees;  
Miscellaneous Records

(139-142)

139. CITY OF GALESBURG, AND PARTS OF SECTIONS 4, 12, 21, 23 and 24  
IN GALESBURG TOWNSHIP, 1931. 1 map.

Physical map of city of Galesburg and of parts of sections 4, 12, 21, 23, and 24 in Galesburg township, showing names of streets, additions, and subdivisions, block and lot numbers, parks, cemeteries, railroads, dimensions of lots and blocks, college grounds, and location of principal buildings. Author, A. L. Richey, engineer, Galesburg, Illinois. 1 in. to 300 ft. 60 x 62. Cir. clk.'s record rm., 1st fl.

Fees

(See also entry 259)

140. CASH BOOK, 1894---. 15 v. (3 not numbered, 11-22). Prior records cannot be located.

Cash book of fees received for recording, showing date, instrument number, record book and page of entry, and amount received. Arr. chron. No index. Hdw. under pr. hdgs. 500 p. 18 x 12 $\frac{1}{2}$  x 3. Cir. clk.'s off., 1st fl.

Miscellaneous Records

141. UNCALLED FOR DOCUMENTS, 1890---. 3 f.b. Prior records cannot be located.

Miscellaneous recorded instruments not called for by owner, showing names of parties, instrument number, kind of instrument, legal description of property, consideration, date and time of recording, and book and page of entry. Arr. alph. by name of owner. No index. 9 x 5 x 13. Cir. clk.'s off., 1st fl.

142. MISCELLANEOUS RECORDS, 1897---. 34 v. (164-294 not consecutive).

Miscellaneous records, including copies of agreements, by-laws of corporations, petitions to probate will, petitions in chancery, affidavits, leases, wills, amendments to charter and by-laws, powers of attorney, proposals to form corporations, miscellaneous deeds, including deeds for right of way for public roads, showing names of principal, grantor and grantee, instrument number, consideration, and dates of instrument and recording. Arr. chron. For index to deeds, see entry 107; other records not indexed. 1897-1910, hdw.; 1911---, typed. 640 p. 18 x 12 x 3. Cir. clk.'s record rm., 1st fl.



## IV. COUNTY COURT

The county court serves as the judicial branch of county government. This court is administered by the county judge who is elected for a four-year term by the county electorate. Before entering upon the duties of his office, the county judge is required to take and subscribe to an oath which he files with the secretary of state. The compensation of the Knox county judge was originally set at two dollars and fifty cents per diem for holding court, which was paid quarterly out of the county treasury.<sup>1</sup> Today, the judge in this county receives \$2,250 per annum.<sup>2</sup> The court hears and determines matters in which it has original or concurrent jurisdiction, including appeals from the justices of the peace and police magistrates.<sup>3</sup>

The powers of the judiciary in Knox were originally administered only by the justices of the peace, police magistrates, the probate justice, and the circuit court during the first nineteen years of the county's history. Then, a civil and criminal court with jurisdiction coextensive with the county lines, was established under the provisions of the Constitution of 1848 and the legislation of 1849.<sup>4</sup> The court created was the county court. This unit of county government was established with a partial reversion to the dual, administrative and judicial, function of the local judiciary in Illinois under the Territorial Laws prior to 1818. The court was different from the territorial courts in that its composition varied for each of the two functions. The judicial court was administered by the court judge, who was elected by the county electorate and commissioned by the Governor. His original four-year tenure of office has remained effective to the present day.<sup>5</sup> As the governing body, the court was made up of the county judge and two justices of the peace.

Under the second constitution complete separation of county business powers from the judicial could be had with the acceptance by the county electorate of an independent administrative body, the board of supervisors, established under township organization. This plan of government was not selected immediately, and Knox was governed by the dual county court until 1853, when the county board of supervisors became successor to the county court in its jurisdiction over county affairs and business. From this date on, the county court has served only as a judicial court in Knox County.

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1. L.1849, p. 62,63.

2. L.1925, p. 398; L.1933, p. 616.

3. R.S.1874, p. 339; L.1881, p. 70.

4. Constitution of 1848, Art. V, sec. 16; L.1849, p. 62.

5. L.1849, p. 64; R.S.1874, p. 339; L.1933, p. 451.



The county court as established in 1849, was vested with the same civil and criminal jurisdiction as the justices of the peace. The county judge was made conservator of the peace for the county. He was given the same power and authority as the circuit court, in preserving order in the court and punishing contempts offered the court while in session.<sup>1</sup> Suits for sale of delinquent lands for taxes of 1848, and prior years, could be brought and presented in either the circuit or county court, but for taxes of subsequent years, the county court was given exclusive original jurisdiction.<sup>2</sup>

In addition to its civil and criminal jurisdiction, the court was vested with all the powers and jurisdiction in probate matters which were vested prior to this date in the court of the probate justice. In its probate function, the court was given concurrent jurisdiction with the circuit court.<sup>3</sup> In Knox County the county judge has served to the present day in his ex-officio capacity as judge of the probate court.

The law jurisdiction of the county court in Knox County from 1874 to the present, is concurrent with that of the circuit court in that class of cases, first, wherein the justices of the peace have jurisdiction where the value of the amount in controversy does not exceed one thousand dollars;<sup>4</sup> second, in all cases of appeals from justices of the peace and police magistrates; third, in all criminal offenses and misdemeanors where the punishment is not imprisonment in the penitentiary or death.<sup>5</sup> Also the county court has original jurisdiction in matters relating to indigent mothers,<sup>6</sup> and jurisdiction over the persons of insane persons not charged with crime. The authority for appointment of conservators for the estate of insane persons is vested in the probate court.<sup>7</sup>

In Knox County the county and circuit courts have original jurisdiction in juvenile court matters. This jurisdiction is over matters dealing with dependent, neglected, and delinquent children. The authority includes provision for the treatment, control, maintenance, adoption and guardianship of such children.<sup>8</sup>

In this class of cases the juvenile probation officer functions as an assistant of the county court in the administration of justice. Provision

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1. L.1849, p. 65; L.1859, p. 99; R.S.1874, p. 339; L.1933, p. 451.

2. L.1849, p. 127.

3. L.1849, p. 65; L.1859, p. 99.

4. Under the laws of 1872, the jurisdiction was in cases not exceeding \$500. The revised laws of 1874, and subsequent legislation extended the jurisdiction to cases wherein the amount involved was not over \$1000. L.1933, p. 449, 452. An amendment to the act of 1874 was passed on May 8, 1933, which extended the jurisdiction to \$2000 and the amendment of the same session passed June 21, 1933, placed the jurisdiction in cases where the amount involved is not over \$1000.

5. R.S.1874, p. 339; L.1877, p. 77; L.1933, p. 448.

6. L.1913, p. 127; L.1915, p. 243; L.1921, p. 164; L.1934, p. 256.

7. L.1893, p. 140.

8. L.1899, p. 131; L.1901, p. 141; L.1905, p. 152; L.1907, p. 70; L.1925, p. 187.



was first made for a probation officer under the laws of 1899. This legislation provided for the appointment of probation officers by the court to serve without compensation from the public treasury and at the pleasure of the court. In 1905 this provision was changed and the probation officer was compensated at a rate fixed by the court not in excess of the statutory limitation. Today in Knox County the rate of compensation is set at not less than eight hundred and fifty dollars nor more than nine hundred dollars a year. If more than one juvenile probation officer is appointed, one is designated the chief probation officer, who is to have one year's active experience in social welfare work.

The officer under consideration makes investigation on order of the court and takes charge of the child before and after the trial. He is required to be present at the court hearings in order that he may represent the interest of the child. This officer also furnishes information and assistance as required by the court.

Upon petition filed with the clerk of the court for the removal of a neglected or dependent child from the custody of its parent(s) or guardian, process is issued for appearance. The said summons may be served by the sheriff or the duly appointed probation officer.

At any time after the filing of the petition and pending the final disposition, the court may allow the child to remain in the possession of its custodian, or in its home subject to the visitation of the probation officer; or the child may be ordered in custody of the probation officer.<sup>1</sup> If upon hearing the case the court finds the child to be dependent or neglected, the court may commit the child to an association or institution, or allow the child to remain in his home subject to the visitation of the probation officer.<sup>2</sup> In a similar fashion the probation officer for adults, an appointee of the circuit court, assists the county court in the administration of justice among adult violators.

In cases of delinquency, if the court finds any child to be delinquent, the court may commit the child to an institution or to the custody of the probation officer. The court may, upon its discretion, send juvenile offenders and vagrants to the state reform school rather than the county jail.<sup>3</sup> Appeals may be taken in any of these classes of juvenile cases to the circuit court.<sup>4</sup>

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1. L.1907, p. 74; L.1911, p. 126; L.1923, p. 181.

2. L.1899, p. 133; L.1901, p. 141; L.1905, p. 152; L.1907, p. 73,74; L.1911, p. 126; L.1925, p. 187.

3. L.1899, p. 134; L.1901, p. 141; L.1905, p. 153; L.1907, p. 75; L.1925, p. 187.

4. L.1899, p. 131; L.1901, p. 141; L.1923, p. 180.





Another probation officer, also an appointee of the county court assists the court in mothers' pension cases. The state and county funds for indigent mothers and their children are administered by the county court, its appointed probation officer(s), the county board, with the assistance of the county clerk, the county treasurer, and the state department of public welfare. The county court, however, is given original jurisdiction in these matters.<sup>1</sup>

A mother whose husband is dead or incapacitated, or who is abandoned by her husband is entitled to the benefits of the mothers' pension fund. Such mother in need may file an application with the county court for relief. The case of the applicant is then investigated by the probation officer under the direction of the court.

A report and recommendation of the approval or disapproval of such application is then made by this officer to the court. If the application is approved, the probation officer or other person may file with the clerk of the said court, a written petition verified by affidavit setting forth the facts giving the court jurisdiction and other facts upon which an order for relief is entered. Upon receipt of the petition a summons is issued to the mother and the county board for appearance. The usual procedure is for the board to make a written appearance. Upon the hearing in court, the court may make an order upon the county board to pay monthly such money as may be necessary for the care of the mother and her child or children in accordance with the provisions of law.

To carry out this procedure, the county court appoints the probation officer who serves during the pleasure of the court and is compensated for his services by the county board. As noted above, this officer investigates all applications for relief and makes a written report to the court. In addition to this duty, the probation officer makes quarterly visits and supervises, under the direction of the court, the families to which such assistance has been granted.<sup>2</sup> The rate of compensation is set by the county board.

The county board annually levies a tax on all taxable property to provide for the mothers' pension fund. The levy is made not in excess of two-thirds of one mill on a dollar in Knox County.<sup>3</sup> Also the General Assembly makes appropriations from time to time to the state department of public welfare which is distributed to the several counties as a part

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1. L.1913, p. 127; L.1915, p. 243; L.1921, p. 164; L.1935, p. 256.
  2. L.1933, p. 194; L.1935, p. 256.
  3. L.1919, p. 780,781; L.1927, p. 196,197; L.1928, Sp. Sess., p. 3; L.1933, p. 194.



of the pension fund. To become entitled to the state appropriation, the county must meet the standards of administration set by the state agency. The county treasurer certifies to the state department an itemized statement attested by the county clerk, of the money paid out in accordance with the legislative provisions for this pension beginning July 1, 1935, and also the total assessment and levy, beginning as of this period, for this purpose.<sup>1</sup>

Jurisdiction in the election procedure is vested variously in the county board, the county court, and the county clerk. The Knox county court performs an important function in this procedure. In each city, village and incorporated town, there is a board of election commissioners composed of three appointees of the county court who serve alternately for three-year terms.<sup>2</sup> The election boards have authority and are charged with the organization of election districts and precincts, the appointment of judges and clerks of election, provision for election ballots, and the application of the rules and regulations for permanent registration and elections.<sup>3</sup> The county court has original jurisdiction in election contests for certain county, district, and township offices.<sup>4</sup>

The county officers electoral board aids in questions arising in the course of the election procedure. This body consists of the county judge who is chairman of the board, the county clerk and the state's attorney.<sup>5</sup>

The several nomination papers for county offices are filed with the county clerk and are considered valid unless objections are made within five days after the last day for filing such papers. Objections to nominations are made to the county officers electoral board for any office of the county, park district or other division coterminous or less than the county and other than a city, village, incorporated town or township.<sup>6</sup>

The objectors' petition is filed with the county clerk who presents the same together with the nomination papers or certificate before the electoral board.<sup>7</sup> The petition contains the objector's name, residence, nature of objection, and interest of objector and the relief sought of the board.<sup>8</sup> A notice of the hearing is sent to the candidate. Upon hearing of the objections the majority decision of the board is final. In the event one of the members of the board is a candidate to the office objected to,

1. L.1935, p. 256.

2. L.1885, p. 142; L.1899, p. 157; L.1917, p. 445; L.1929, p. 399; L.1933, p. 534; L.1935-36, Fourth Sp. Sess., p. 33.

3. Ibid.

4. L.1895, p. 170.

5. L.1891, p. 110; L.1933, p. 552.

6. L.1891, p. 110, 111; L.1929, p. 394.

7. L.1891, p. 111; L.1929, p. 394; L.1933, p. 552.

8. L.1929, p. 394, 395.



then the circuit judge is required to fill the place on the board.<sup>1</sup>

Housing corporations may be organized in Illinois for the express purpose of improving housing conditions under an act of 1933.<sup>2</sup> Such corporations are subject to the supervision and control of the state housing board. This state agency has authority, after investigations and public hearings, to approve the acquisition of property and construction of housing projects. If the state housing board approves a project over the objections of ten percent of the property owners within a mile, but not included in the project, it must then file an application with the clerk of the county court to be submitted to the county judge for the confirmation of its approval. Such application is to contain copies of the finding and order of the board, transcript of the testimony, description of the project and public spaces, statement of location, and reasons of approval by board. The objectors to the project may file objections to the confirmation of such project. The county judge is then to examine the application, objections, and any additional evidence before rendering a decision of "approval" or "not approval" of the application.<sup>3</sup>

Appeals from the judgments and decisions of the county court may be taken to the circuit court.<sup>4</sup> To the appellate court or supreme court may be taken and prosecuted appeals and writs of error in proceedings for the sale of lands for taxes and special assessments, and in all common law and attachment cases, and cases of forcible detainer and forcible entry and detainer. Such appeals and writs of error are, when not otherwise provided, taken and prosecuted in the same manner as appeals and writs of error from the circuit court.<sup>5</sup>

The records of the county court are kept by its clerk. In Knox County the county clerk is ex-officio clerk of the county court. In addition to the statutory records described below the clerk necessarily maintains others in effecting the court's orders.<sup>6</sup>

For the court, the clerk keeps the following records:

1. Books of record of the proceedings and judgments of the court, with alphabetical indexes by names of parties. Proceedings are recorded at length only in cases designated by law, or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.

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1. L.1933, p. 552.

2. L.1933, p. 396; L.1933-34, Third Sp. Sess., p. 167.

3. Ibid.

4. R.S.1874, p. 339; L.1933, p. 396.

5. R.S.1874, p. 339; L.1877, p. 77; L.1881, p. 66.

6. The form which such records take is generally determined by court order. L.1849, p. 66; R.S.1874, p. 263.



2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records." Intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket, in which all suits are entered in the order they are commenced.
4. A judgment and execution docket, containing a column for the entry of satisfaction or other disposition. In practice an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's and bar docket. In practice, the bar docket has tended to drop out of use.<sup>1</sup>
6. A fee book, in which costs and fees are to be entered under the proper title of the cause. In practice separate series of volumes are maintained under these titles of causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment for liens, etc., from justices' courts.
8. Naturalization records, including petitions, proceedings, final certificates, etc. The county courts in Illinois prior to 1906 met the requirement of Federal Statutes to exercise naturalization jurisdiction.<sup>2</sup>
9. Original documents used in court hearings and determinations; of particular importance in the large number of cases where complete proceedings are not spread on court record.<sup>3</sup>
10. Monthly reports of the warden of the county jail containing a list of all prisoners in his custody, and showing the cause of commitment and persons by whom committed.<sup>4</sup>

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1. The Civil Practice Act of 1933 grants authority to county courts, subject to rules promulgated by the supreme court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court. L.1933, p. 785, sec. 2.
  2. U.S.S.1802, p. 153; U.S.R.S.1874, p. 378.
  3. R.S.1845, p. 57,323,324,414,418,419; L.1865, p. 79,80; L.1871-72, p. 325; R.S.1874, p. 262,263,339; L.1877, p. 77; L.1933, p. 448,451; U.S.S.1802, p. 153-55; U.S.R.S.1874, p. 378-80; U.S.S.1906, p. 598-607; U.S.S.1915, p. 736-38; U.S.1926, p. 709,710.
  4. R.S.1874, p. 616; L.1933, p. 677.





Proceedings of Court

143. COUNTY COURT FILES, 1872--. 110 f.b. (722-24, 766-865, 915-21). Files of county court common law and criminal cases, including summonses, subpoenas, instructions to jury, affidavits of witnesses, writs, bonds, indictments, and sheriff's papers. Arr. by case no. Hdw. and typed. 9 x 4 x 12. Co. clk.'s off., 1st fl.

144. INDEX TO COUNTY COURT FILES, 1872--. 1 v. Index to county court files, showing case number, names of plaintiff and defendant, and file box number. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 15 x 16 x 3½. Co. clk.'s off., 1st fl.

145. COUNTY COURT RECORD, 1872--. 13 v. (1, 2, 2-12). Record of county court cases, showing date, case number, names of plaintiff, defendant, petitioners, witnesses, and attorneys, nature of case, court's orders, and remarks. Includes record of probations granted, and default, confession, recognizance, and transcript records. Also contains Insane Record by Commission, 1872-80, entry 147, and Voluntary Assignment Record, 1872-77, entry 149. Arr. chron. Indexed alph. by name of plaintiff; for sep. index, see entry 146. 1872-35, hdw.; 1886-- , typed. 635 p. 18 x 12½ x 3. Co. clk.'s off., 1st fl.

146. INDEX TO CASES OF COUNTY COURT (Plaintiff-Defendant) 1872--. 3 v. Index to county court cases, showing case and docket numbers, names of plaintiff and defendant, and book and page of record. Arr. alph. by names of plaintiff and defendant. Hdw. 100 p. 12 x 8 x 1½. 2 v., 1872-1923, tax record rm., bsmt.; 1 v., 1924-- , co. clk.'s off., 1st fl.

147. INSANE RECORD BY COMMISSION, 1881--. 8 v. (A-H). Title varies: Insane Record. 1872-80 in County Court Record, entry 145. Record of insanity and feeble-minded cases, showing names of petitioner, patient, examining physician, judge, and jurors, dates of petition, trial, examination and issue and return of summons, physician's report, amounts of fees, feebook and page of entry, and court orders. Arr. chron. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 300 p. 18 x 12 x 1½. Co. clk.'s off., 1st fl.

148. CHILDREN'S HOME SOCIETY RECORD, 1894-1900. 1 v. Discontinued. Record of placing of children in the Illinois Children's Home and Aid Society, Chicago, showing name of child, age, place of residence, history of case, and remarks. Practice of placing children in Chicago discontinued in 1900. Arr. chron. No index. Hdw. on pr. fm. 240 p. 8 x 14 x 1. Co. clk.'s off., 1st fl.

149. VOLUNTARY ASSIGNMENT RECORD, 1878-99. 1 v. 1872-77 in County Court Record, entry 145; 1900-- kept by the United States District Court at Galesburg, Ill. Copies of assignments by insolvent debtors to assignees, showing date, names of debtor and assignees, amount and conditions of assignee's bond, assignee's inventory of real and personal property, list and value of articles exempt by law, names and addresses of creditors, amount of claim, and assignee's report of assets of debtor against claims of creditors. Arr. chron. Indexed alph. by name of debtor. Hdw. 576 p. 18 x 12 x 3. Tax record rm., bsmt.



## 150. PETITION FOR REMOVAL OF COUNTY SEAT, 1873. 1 bdl.

Original petitions to county court to move county seat from Galesburg to Knoxville, to be decided by an election, showing place and date of petition, court to which addressed, and names of petitioners. No arr. No index. Hdw. 12 x 8 x 1. Clock tower rm., 4th fl.

For supervisors' record of removal of county seat, see entry 20.

## Dockets

Court Dockets

151. CLERK'S COMMON LAW DOCKET, 1854--. 35 v. (28 not numbered, 1-7). Clerk's docket of common law and criminal cases, showing term date, case number, names of plaintiff, defendant, and attorneys, kind of action, and court orders. Also contains Judge's Docket, County Court, 1854-71, entry 152. Arr. chron. No index. Hdw. under pr. hdgs. 160 p. 16 x 9 x 2. 28 v. not numbered, 1-4, 1854-1924, tax record rm., bsmt.; v. 5-7, 1925--., co. clk.'s off., 1st fl.

152. JUDGE'S DOCKET, COUNTY COURT, 1872--. 14 v. (7 not numbered, 3-9). Title varies: County Court Docket. 1854-71 in Clerk's Common Law Docket, entry 151.

Docket of common law and criminal cases, showing case number, term date, names of plaintiff, defendant, and attorneys, kind of action, court orders, and remarks. Also contains Judge's Docket, Insane, 1872-80, entry 156. Arr. chron. For index, see entry 146. Hdw. under pr. hdgs. 175 p. 14 x 12 x 2. 7 v. not numbered, 1872-1909, v. 3, 4, 1910-23, southeast str., bsmt.; v. 5-9, 1924--., co. clk.'s off., 1st fl.

153. JUDGMENT DOCKET, 1854--. 4 v. (1-4).

Docket of judgments, showing names of plaintiff, defendant, attorneys, and person against whom judgment is entered, nature of action, record, fee book, and page numbers, dates of service and return of execution, and amount of judgment. Also contains Execution Docket (and Process Docket), 1854-58, entry 154. Arr. alph. by name of person against whom judgment is entered. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 574 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

154. EXECUTION DOCKET (and Process Docket), 1859--. 17 v. (4 not numbered, 10-22). 1854-58 in Judgment Docket, entry 153.

Execution and process docket showing names of plaintiff and defendant, amount and nature of execution, dates of service and return, by whom served, and amount of fees earned. Also contains Foreign Writs, 1859-1906, 1908--., entry 155. Arr. alph. by name of person against whom judgment is entered. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 360 - 600 p. 16 x 11 x 2½ - 18 x 12 x 3. 4 v. not numbered, v. 10, 11, 1859-1909, northeast str., bsmt.; v. 12-22, 1910--., sh.'s off., 2nd fl.

155. FOREIGN WRITS, 1907. 1 v. 1859-1906, 1908-- in Execution Docket (and Process Docket), entry 154.

Docket of executions to be served outside of Knox County, showing names of county, plaintiff, and defendant, date, and order to sheriff to serve and make a return on execution. Arr. chron. No index. Writing faded. 200 p. 13 x 8½ x 1. Northeast str., bsmt.



156. JUDGE'S DOCKET, INSANE, 1881---. 13 v. (A-M). 1872-80 in

Judge's Docket, County Court, entry 152.

Docket of insanity and feeble-minded cases, showing names of petitioner, patient, examining physician, and jurors, dates of petition, court term, issue and return of summons, and examination, jurors selected, drawn, and served, reports of physicians, court orders, amount of fees, and fee book and page of entry. Arr. chron. Indexed alph. by name of patient. Hdw. under pr. hdgs. 300 p. 16 x 11 x 2. Co. clk.'s off., 1st fl.

Justices' and  
Magistrates' Dockets

157. JUSTICE OF PEACE DOCKET, 1837-1933. 136 v. 1934-- in local offices of Justices of the Peace.

Dockets of justice of the peace cases, showing date, names of plaintiff, defendant, and attorneys, nature of case, court rulings, and final judgment. Arr. chron. Indexed alph. by names of plaintiff and defendant. 1837-53, hdw.; 1854-1933, hdw. on pr. fm. 490 p. 16 x 10 x 2. Tax record rm., bsmt.

158. POLICE MAGISTRATE DOCKET, 1838-1924. 66 v. 1925-- in local offices of Police Magistrates.

Dockets of police magistrates, showing names of plaintiff, defendant, and attorneys, cause of action, date, and disposition of case. Arr. chron. Indexed alph. by names of plaintiff and defendant. 1838-53, hdw.; 1854-1924, hdw. under pr. hdgs. 375 p. 14 x 9 x 2. Tax record rm., bsmt.

Fee Books

(See also entries 97, 101, 170)

159. FEE BOOK LAW AND CRIMINAL, 1872---. 7 v. (1-7).

Record of fees in common law and criminal cases, showing case number, names of plaintiff and defendant, cause of action, itemized fees, date, and by whom paid. Arr. chron. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 640 p. 18 x 12 x 3. V. 1, 2, 1872-1902, tax record rm., bsmt.; v. 3-7, 1903---, co. clk.'s off., 1st fl.

160. FEE BOOK, INSANE, 1881---. 29 v. (1-29). 1847-80 in Probate Fee Book, entry 205.

Ledger of fees received in insanity cases, showing case number, names of patient and petitioner, items of earnings, and amounts of county clerk's, sheriff's, commissioners', and state's attorney's fees. Arr. chron. Indexed alph. by name of alleged insane person. Hdw. under pr. hdgs. 318 p. 18 x 12 x 2. V. 1-16, 1881-1910, southeast strm., bsmt.; v. 17-29, 1911---, co. clk.'s off., 1st fl.



County Court - Probation;  
Naturalization

(161-165)

Probation

Juvenile (See  
also entries 148, 178)

161. DEPENDENT OR DELINQUENT CHILDREN, 1927--. 1 f.d. 1839-1926 in Probate Files, entry 173.

Juvenile probation officer's file of dependent and delinquent cases, showing case number, names of child, parents, guardian, probation officer, and investigator, personal and statistical particulars, nature of complaint or charge, school history, conditions of probation and supervision, investigator's report, court action, and date of placement or discharge. Arr. alph. by name of child. For index, see entries 162, 175. Hdw. and typed. 10 x 10 x 24. Co. judge's off., 2nd fl.

162. INDEX TO DEPENDENT AND DELINQUENT CHILDREN, 1927--. 1 f.b. Card index to dependent and delinquent cases, showing name of child, record of court action, investigation, termination of probation, and case number. Arr. alph. by name of child. Hdw. on pr. fm. 3 x 15 x 14. Co. judge's off., 2nd fl.

Mothers' Pension

163. HEARINGS, MOTHERS' PENSIONS, 1907--. 1 f.d. Petitions to county court for mothers' pension, showing name and address of petitioner, transcript of evidence at hearing, probation officers' report to court, and dates of petition and investigation. These are probation officers' records, kept separately from county court mothers' pension records and are used in an advisory manner in determining the need of pension. Arr. alph. by name of petitioner. No index. Hdw. on pr. fm. 10 x 10 x 24. Co. judge's off., 2nd fl.

164. MOTHERS' PENSION RECORD, 1914--. 2 v. (1, 2). Record of mothers' pensions, showing dates of petitions and hearing, name of mother, number of children, amount granted, and date of receipt. Arr. chron. Indexed alph. by name of mother. Hdw. on pr. fm. 200 p. 18 x 12 x 1. V. 1, 1914-32, tax record rm., bsmt.; v. 2, 1933--, co. clk.'s off., 1st fl.

Naturalization  
(See also entries 253-258)

165. NATURALIZATION PAPERS, 1853-1906. 2 f.b. Discontinued. Certificates of declaration of intentions, and oaths, showing name of alien, address, nativity, date of arrival in the United States, and notarial acknowledgment. Arr. chron. Hdw. on pr. fm. No index. 12 x 12 x 24. West strm., 4th fl.





County Court - Receipts and  
Expenditures; Correspondence

(166-171)

166. NATURALIZATION RECORD, INTENTIONS, 1864-1906. 3 v. (A, C, 1 not lettered). Discontinued.

Record of declaration of intentions, showing names of clerk and alien, nationality, oath, and date of acknowledgment before clerk. Arr. chron. Indexed alph. by name of alien. Hdw. on pr. fm. 300 p. 16 x 11 x 2. Co. clk.'s off. annex, 1st fl.

167. NATURALIZATION RECORDS, DISCHARGED SOLDIERS, 1866-1906. 1 v. Last entry 1902.

Naturalization record of soldiers, showing names of soldier and witnesses, service record, and dates of oath of allegiance and final certificate. Arr. chron. Indexed alph. by name of alien. Hdw. on pr. fm. 350 p. 18 x 12 x 2. Co. clk.'s off. annex, 1st fl.

168. NATURALIZATION RECORD, FINAL, 1880-1906. 2 v. (D, F). Discontinued.

Final naturalization records showing name and nationality of alien, names of witnesses, and judge, and dates of petition, oath, and final certificate. Arr. chron. Indexed alph. by name of alien. Hdw. on pr. fm. 592 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s off. annex, 1st fl.

169. NATURALIZATION RECORDS, MINORS, 1891-1906. 2 v. (E, G). Discontinued.

Naturalization record of minors, showing names of minor and witnesses, dates of declaration and oath, and court order of admission to citizenship. Arr. chron. Indexed alph. by name of minor. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s off. annex, 1st fl.

For prior records of minors, see entries 166, 168.

Receipts and Expenditures  
(See also entries 97, 101, 159)

170. CASH BOOK, 1907---. Missing: 1910-23. 6 v. Prior records cannot be located.

County clerk's cash book for county court, showing daily receipts and expenditures, date, amount, to whom paid, from whom received, fee book and page of entry, totals, and balance. Arr. chron. No index. Hdw. under pr. hdgs. 14 x 13 x 1 $\frac{1}{2}$ . 4 v., 1907-33, west strm., 4th fl.; 2 v., 1934---, co. clk.'s off., 1st fl.

Correspondence

171. CORRESPONDENCE, 1923---. 1 f.b., 1 f.d. Prior records cannot be located.

County clerk's correspondence relating to business of his office. Arr. alph. by name of correspondent. No index. Hdw. and typed. F.b. 3 x 12 x 12; f.d. 12 x 12 x 24. 1 f.b., 1923-30, tax record rm., bsmt.; 1 f.d., 1931---, co. clk.'s off., 1st fl.



## V. PROBATE COURT

In Knox County, a separate probate court is not maintained, the function of this court being delegated to the county court. The county court has original jurisdiction in all matters of probate, the settlement of estates of deceased persons, the appointment of guardians and conservators and settlement of their accounts; matters relating to apprentices; proceedings by executors and administrators for sale of real estate; proceedings for the collection of taxes and special assessments of property in probate.<sup>1</sup> The court has power to impanel a jury for the trial of issues or matters of fact in any of these proceedings before it.<sup>2</sup>

Jurisdiction over probate matters in Knox County was first exercised by a separate probate court. Its incumbent, the judge of the probate court, was an elected officer of the General Assembly, and held office during good behavior.<sup>3</sup> The next incumbent was the probate justice, an elected officer of the county electorate.<sup>4</sup> The justice's tenure of office was four years until 1845 when it was reduced to two years.<sup>5</sup> Twelve years after the first election of the probate justice by the county electorate, the jurisdiction of the probate court was transferred to the newly created county court, which was established in 1849.<sup>6</sup> The Knox county court has retained probate jurisdiction from 1849 to the present day.

When acting in matters of the administration of estates of decedents, minors and incompetent persons, the county court may, after due notice to all the interested parties, appoint a referee or referees. A party to such proceeding may object in writing, prior to the appointment, to such appointment. The person appointed, a licensed attorney, has authority to take testimony in such cause or proceedings and to report the same in writing, together with his conclusions of law and fact to the court. The court may then render and enter a proper judgment order or decree upon such report. Either party may except to such report and have his exception heard and determined by the court. In which instance, the court hears, if necessary, further evidence or refers the cause or proceeding back to the referee with

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1. Constitution of 1870, Art. VI, sec. 20; R.S.1874, p. 339,340; L.1877, p. 80.

2. R.S.1845, p. 339; L.1933, p. 459.

3. L.1821, p. 119; L.1823, p. 132; L.1825, p. 87.

4. L.1836-37, p. 176; R.S.1845, p. 426.

5. R.S.1845, p. 426.

6. Constitution of 1848, Art. V, sec. 16,18; L.1849, p. 64,65; R.S.1874, p. 339,340.



instructions. The costs of the services of the referee are entered as judgment against the unsuccessful party, or the respective parties, upon final hearing. All the testimony taken before the referee and all the exhibits and papers introduced in evidence, and the report of the referee, are included in and form part of the record of the cause and proceeding.<sup>1</sup>

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are the public administrator and the public guardian. Each officer is appointed quadrennially by the Governor with the advice and consent of the senate. The public administrator and public guardian are required to enter into bonds set and approved by the probate court in sums not less than \$5000.<sup>2</sup> Their duties are performed under the direction and orders of the court. The records that result from their prescribed duties, appear among the records of the court with those of other administrators, executors, and guardians.

When there is no relative or creditor who will administer an intestate estate, the court commits the administration to the public administrator upon application of any person interested in the deceased estate.<sup>3</sup> If a widow or next of kin, or creditor of the deceased appears within six months after the administration is granted to the public administrator, the court then revokes its grant of administration to the public administrator, and orders powers of administration granted to such person interested in the estate. If, after all debts and charges against the estate which have been presented within two years after the administration of the estate was committed to such public administrator are fully paid, and any balance of intestate estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present them to the county court within six months. If no such claim is presented upon the expiration of the six-month period the balance is paid into the county treasury, the county remaining answerable for the same to any future claimers.<sup>4</sup>

As already noted, the court has authority to appoint guardians of minor heirs of deceased persons.<sup>5</sup> In cases where the minor is under fourteen years of age the court appoints his guardian. When the minor is over fourteen he may nominate his own guardian, subject to the approval of the court.<sup>6</sup> Under the direction of the court, the guardian is responsible for the custody, nurture, and tuition of his ward, and the care and management of his estate. The court may appoint the guardianship of the estate to

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1. L.1923, p. 312,313.

2. L.1825, p. 70; R.L.1929, p. 209; R.L.1833, p. 627,628; R.S.1845, p. 548; L.1871-72, p. 77; L.1881, p. 3; L.1889, p. 165.

3. R.L.1833, p. 628; R.S.1845, p. 548; L.1871-72, p. 77.

4. R.S.1845, p. 549; L.1871-72, p. 77.

5. L.1831, p. 100; L.1835, p. 36; R.S.1845, p. 265,266; L.1873-74, p. 107; L.1919, p. 582; L.1931, p. 618; L.1937, p. 660.

6. Ibid.



one guardian and the custody and tuition to another.<sup>1</sup> Within sixty days after his appointment, the guardian returns to the probate court a complete inventory of the real and personal estate of the ward in the form prescribed by law.<sup>2</sup> At the end of the first year of his appointment and every three years thereafter, he makes a settlement of his accounts. When his trust is completed or upon the death of the ward, the guardian makes final settlement and delivers over to persons entitled, the property and papers in his hands as guardian.<sup>3</sup> Upon failure of a guardian appointed by the court to act within three months in this capacity, the court commits the guardianship of such minor to the public guardian.<sup>4</sup> The latter's records appear with those of other guardians.

The early probate judge, 1830 to 1837, and the probate justice, 1837 to 1849, each performed the ministerial function of the probate clerk.<sup>5</sup> With the creation of the county court in 1849, until the present, the county clerk has served as ex-officio probate clerk.<sup>6</sup>

The clerk is required to attend the sessions of the court, issue all process, preserve all the files and pages thereof, make, keep and preserve complete records of all the proceedings and determinations, and do an perform all other duties pertaining to his office as required by law or the rules and orders of his court, and enter of record all judgments, decrees and orders of the court.<sup>7</sup>

The major records of the probate court, which are kept by the clerk are:

1. Journal of all judicial proceedings and determinations of the judge.
2. A judgment docket with a direct and an indirect index; former by name of claimant against estate, latter by estate. In practice, the requirement of two indexes often leads to two dockets.
3. Books for recordation of bonds and letters of administrators, executors, guardians, and conservators; appraisement and sale bills; widows' relinquishment and selection of property; wills and the probate thereof; annual and final reports of administrators, executors, guardians, and conservators. Generally each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.

1. L.1871-72, p. 469; L.1877, p. 114.

2. L.1919, p. 582; L.1933, p. 644.

3. L.1871-72, p. 469; L.1919, p. 582; L.1929, p. 506.

4. L.1889, p. 165.

5. L.1821, p. 119,120; R.L.1829, p. 215; L.1831, p. 192; R.S.1845, p. 427,428.

6. Constitution of 1848, Art. V, secs. 16,18; L.1849, p. 64,65; R.S.1874, p. 539,540.

7. L.1877, p. 79; L.1881, p. 72; L.1933, p. 458,459.





4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate business matters are separated from dockets of court proceedings, just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes of such; records of office transactions in pursuance of the court's orders to the clerk necessary in the latter's settlement with that body.<sup>1</sup>

### Proceedings of Court

#### Case Papers

172. INDEX TO WILLS, ESTATES, ADMINISTRATORS AND EXECUTORS, 1839--.  
1 v.

Index to estate papers, wills, and administrators' and executors' files, showing names of administrator, executor, and estate, and file box and document numbers. Arr. alph. by name of estate. Hdw. under pr. hdgs. 450 p. 16 x 15 x 2 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

173. PROBATE FILES, 1839--. 827 f.b. (1-500, 1020-1125, 1839--; 501-667, 1878--; 668-721, 1930--). Title varies: Miscellaneous Probate Files.

Files of probate papers, including oaths, bonds, letters, petitions, and reports, of administrators, executors, guardians, and conservators, proofs of heirship, inventories of real and personal property, assignments, adoption papers, orders admitting wills to probate, claims against estates, and inheritance tax returns. Also contains Dependent or Delinquent Children, 1839-1926, entry 161; Guardianship Files, 1839-40, entry 176; and Conservators' Files, 1839-40, entry 177. Arr. chron. For index, see entry 172; for additional index to assignments and adoptions, see entry 175. Hdw. and typed on pr. fm. 9 x 5 x 13. Co. clk.'s off., 1st fl.

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1. L.1821, p. 119; R.L.1829, p. 215,231; R.L.1837, p. 429; R.S.1845, p. 427,428; L.1851, p. 193; L.1859, p. 92-4; R.S.1874, p. 260-65; L.1877, p. 63; L.1953, p. 293.



174. WILLS, 1839--. 98 f.b. (922-1019).

Wills filed in probate court, showing date, provisions of testament, and signatures of testator and witnesses. Arr. alph. by name of testator. For index, see entry 172. Hdw. and typed on pr. fm. 9 x 5 x 13. Co. clk.'s off., 1st fl.

For recordation and copies of wills, see entries 142, 182.

175. INDEX TO GUARDIANSHIP, CONSERVATORS, INSANE, ADOPTIONS, DELINQUENTS AND DEPENDENTS, AND ASSIGNORS, 1841--. 1 v.

General index to guardianship, conservatorship, insanity, adoption, delinquency, and assignors' files, showing names of minor, ward, patient, guardian, conservator, assignee, and petitioner, and document and file box numbers. Arr. alph. by name of ward. Hdw. under pr. hdgs. 600 p. 16 x 15 x 3. Co. clk.'s off., 1st fl.

176. GUARDIANSHIP FILES, 1841--. 41 f.b. (725-765). 1839-40 in Probate Files, entry 173.

Guardianship papers, including petitions, oaths, bonds, letters, reports, and inventories. Arr. alph. by name of guardian. For index, see entry 175. Hdw. and typed on pr. fm. 9 x 5 x 13. Co. clk.'s off., 1st fl.

177. CONSERVATORS' FILES, 1841--. 49 f.b. (866-914). 1839-40 in Probate Files, entry 173.

Conservatorship papers, including oaths, bonds, letters, and petitions for appointments, claims against estates, inventories, and reports. Arr. alph. by name of conservator. For index, see entry 175. Hdw. and typed on pr. fm. 9 x 5 x 13. Co. clk.'s off., 1st fl.

Records

178. PROBATE RECORD, 1830--. 78 v. (1A, 1B, 1, 2, 2, 3, 3-16, 16-73).

Record of probate proceedings, showing names of estate, heirs, administrator, executor, conservator, guardian, sureties, and witnesses, dates, and court orders. Includes dependency and delinquency records, and claims against estates. Also contains Affidavit of Notice for Creditors to Appear, 1830-66, entry 179; Conservatorship, Insane Record, 1830-92, entry 180; Insolvent Estate Record, 1830-80, 1892--, entry 181; Will Record, 1830-34, entry 182; Bonds and Letters, 1830-49, entry 189, including Administrators' Record, entry 183, Miscellaneous Administrators' Record, entry 184, Executors' Record, entry 185, Guardians' Record, entry 186, Guardians' Bonds, Additional, entry 187, and Conservators' Record, entry 188; Inventory Record, 1830-34, entry 190; Appraisement Records, 1830-71, entry 191; Widows' Relinquishment and Selection, 1830-1900, entry 192; Record of Petition, Decrees, and Sales of Real Estate, 1830-53, entry 193; Sale Bill Records, 1830-76, entry 194; Executors', Administrators' and Guardians' Accounts, 1830-34, entry 195; and Account Current Record, 1830-76, entry 196. Arr. chron. Indexed alph. by name of estate. 1830-1912, hdw.; 1913--, typed. 300 p. 15 x 12 x 3. Co. clk.'s off., 1st fl.



179. AFFIDAVIT OF NOTICE FOR CREDITORS TO APPEAR, 1867--. 8 v. (A-H). 1830-66 in Probate Record, entry 178.

Copies of affidavits of notice for creditors to appear, with printer's certificate of publication, showing names of estate and administrator, dates of notice, subscribed oath, and amount of printer's costs. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 575 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

180. CONSERVATORSHIP, INSANE RECORD, 1893--. 9 v. (1 not numbered, 1-8). 1830-92 in Probate Record, entry 178.

Record of insanity inquisitions, showing term date, names of alleged insane, petitioners, and sureties, date of hearing, verdict of jury, date, amount, and condition of conservator's bond, and notarial acknowledgment. Arr. chron. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 288 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

181. INSOLVENT ESTATE RECORD, 1881-91. 1 v. 1830-80, 1892-- in Probate Record, entry 178.

Record of estates found insolvent, showing term date, names of deceased, widow, executor, and administrator, inventory of personal property, amount paid to widow, and court orders. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 288 p.  $18\frac{1}{2}$  x  $12\frac{1}{2}$  x  $1\frac{1}{2}$ . Co. clk.'s off., 1st fl.

#### Probate Business

Wills, Bonds, Letters (See also  
entries 142, 173, 174, 176, 177)

182. WILL RECORD, 1835--. 22 v. (1-22). 1830-34 in Probate Record, entry 178.

Copies of wills, showing names of testator and witnesses, renunciation of will by widow, dedimus potestatem to prove will, and date of filing. Arr. chron. Indexed alph. by name of deceased. 1835-1925, hdw.; 1926--, typed. 590 p. 18 x 12 x  $2\frac{1}{2}$ . Co. clk.'s off., 1st fl.

183. ADMINISTRATORS' RECORD, 1858--. 18 v. (A-R). 1830-49 in Probate Record, entry 178; 1850-57 in Bonds and Letters, entry 189.

Copies of petitions, oaths, bonds, and letters, showing term date, names of deceased, judge, clerk, petitioner, and sureties, amount and condition of bond, administrators' and appraisers' reports, condition of estate, and notarial acknowledgment. Arr. chron. Indexed alph. by name of deceased. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

184. MISCELLANEOUS ADMINISTRATORS' RECORD, 1877--. 5 v. (A-E). 1830-49 in Probate Record, entry 178; 1850-76 in Bonds and Letters, entry 189.

Copies of bonds of administrator with will annexed, bonds of administrator de bonis non, and additional bonds of administrator, showing names of estate, administrator, and sureties, date, terms, and amount of bond, notarial acknowledgment, and copies of annexed wills. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 250 - 640 p. 18 x 12 x  $1\frac{1}{2}$  - 18 x 12 x 3. Co. clk.'s off., 1st fl.



185. EXECUTORS' RECORD, 1858--. 12 v. (A-L). 1830-49 in Probate Record, entry 178; 1850-57 in Bonds and Letters, entry 189.

Copies of petitions, oaths, bonds, and letters, showing term date, names of judge, clerk, sureties, appraiser, petitioner, and deceased, executors' and appraisers' reports, amount and condition of bond, condition of estate, and notarial acknowledgment. Arr. chron. Indexed alph. by name of deceased. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

186. GUARDIANS' RECORD, 1858--. 9 v. (A-C, C-H). 1830-49 in Probate Record, entry 178; 1850-57 in Bonds and Letters, entry 189.

Copies of guardians' petitions, oaths, bonds, and letters, showing names of minor, guardian, and sureties, date, amount, and terms of bond, list of property, guardian's report, and notarial acknowledgment. Also contains Guardians' Bonds, Additional, 1905--, entry 187, and Conservators' Record, 1858-92, entry 188. Arr. chron. Indexed alph. by name of minor. Hdw. on pr. fm. 500 p. 18 x 12 x 2½. Co. clk.'s off., 1st fl.

187. GUARDIANS' BONDS, ADDITIONAL, 1882-1904. 1 v. 1830-49 in Probate Record, entry 178; 1850-81 in Bonds and Letters, entry 189; 1905-- in Guardians' Record, entry 186.

Copies of additional bonds, given by guardians, showing names of principal and sureties, amount, date, and conditions of bond, and notarial acknowledgment. Arr. chron. Indexed alph. by name of guardian. Hdw. on pr. fm. 540 p. 18 x 12 x 2½. Co. clk.'s off., 1st fl.

188. CONSERVATORS' RECORD, 1893--. 9 v. (1, 1-8). 1830-49 in Probate Record, entry 178; 1850-57 in Bonds and Letters, entry 189; 1858-92 in Guardians' Record, entry 186.

Record of conservators' bonds, letters, oaths, and petitions, showing date, names of petitioner, alleged insane person, judge, and sureties; also contains conservators' inventories. Arr. chron. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 400 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

189. BONDS AND LETTERS, 1850-81. 2 v. (1, 2). Title varies: Probate Record of Bonds and Letters. 1830-49 in Probate Record, entry 178.

Copies of administrators', conservators', guardians', and executors' bonds, letters, oaths, and petitions, and miscellaneous and additional bonds, showing names of estate, petitioner, and sureties, notarial acknowledgment, and dates. Contains Administrators' Record, 1850-57, entry 183; Miscellaneous Administrators' Record, 1850-76, entry 184; Executors' Record, 1850-57, entry 185; Guardians' Record, 1850-57, entry 186; Guardians' Bonds, Additional, 1850-81, entry 187; and Conservators' Record, 1850-57, entry 188. Arr. chron. Indexed alph. by name of estate. Hdw. 500 p. 18 x 12 x 2½. Co. clk.'s off., 1st fl.





Inventories and Appraisements (See also  
entries 173, 176, 177, 188)

190. INVENTORY RECORD, 1835--. 27 v. (2 not numbered, 5-29).

Missing: 1846-49. 1830-34 in Probate Record, entry 178.

Record of inventories of administrators, executors, guardians, and conservators of estates, showing names of estate and administrator, itemized list of real and personal property, notes and accounts receivable, and oath as to correctness of report of inventory. Arr. chron. Indexed alph. by name of estate. 1835-1924, hdw.; 1925--, typed. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

191. APPRAISEMENT RECORDS, 1872--. 15 v. (5-19). 1830-71 in

Probate Record, entry 178.

Estate appraisement record showing names of estate, judge, and appraiser, appraiser's warrant and oath, itemized list of property, appraised value, and allowance to widow. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

Widows' Relinquishment  
and Selection

192. WIDOWS' RELINQUISHMENT AND SELECTION, 1901--. 2 v. (1, 2).

1830-1900 in Probate Record, entry 178.

Lists of articles of personal property selected and allowed the widow, showing names of estate, widow, minors, and administrator, appraised value, widow's acknowledgment, and date of filing. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s off., 1st fl.

Petitions, Decrees,  
Reports of Sale

193. RECORD OF PETITION, DECREES, AND SALES OF REAL ESTATE, 1854--.

34 v. (1-34). 1830-53 in Probate Record, entry 178.

Record of administrators', executors', guardians', and conservators' petitions to sell real estate, showing names of estate, petitioner, and purchaser, decree to sell, legal description of property, date and amount of sale. Arr. chron. Indexed alph. by name of estate. Hdw. 600 p. 18 x 12 $\frac{1}{2}$  x 3. V. 1-33, 1854-1935, co. clk.'s off., 1st fl.; v. 34, 1936--, treas.'s off., 1st fl.

194. SALE BILL RECDs, 1877--. 4 v. (1 not numbered, 11-13).

1830-76 in Probate Record, entry 178.

Copies of estate sale bills, showing names of estate, administrator, and purchaser, dates of advertising, petitions, and sale, itemized list of articles sold, and amount and place of sale. Arr. chron. Indexed alph. by name of estate. 1877-1923, hdw.; 1924--, typed. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.



Reports, Current and  
Final Accounts

195. EXECUTORS', ADMINISTRATORS' AND GUARDIANS' ACCOUNTS, 1835--.

5 v. (1 not numbered, 2-5). 1830-34 in Probate Record, entry 178.

Executors', administrators', and guardians' accounts of estates showing names of estate, executor, administrator, or guardian, dates of receipts and expenditures, from whom received, to whom paid, amounts, final settlements, and date of discharge. Arr. chron. Indexed alph. by name of estate. Hdw. 635 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

196. ACCOUNT CURRENT RECORD, 1877--. 59 v. (1-19, 21-60). Missing:

1903. 1830-76 in Probate Record, entry 178.

Administrators', executors', and conservators' accounts current showing name of estate, amounts received and paid out, from whom received, to whom paid, dates, and amounts of final reports. Arr. chron. Indexed alph. by name of estate. 1877-1923, hdw.; 1924--, typed. 591 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

Dockets

Court Proceedings

197. PROBATE JUDGE'S DOCKET, 1861--. 60 v. (2-61).

Docket of probate court cases, showing term date, name of estate, fee book and page of record, and fees earned. Also contains Clerk's Probate Docket, 1861-73, entry 198. Arr. chron. 1861-97, no index; 1898--, indexed alph. by name of estate. Hdw. under pr. hdgs. 500 - 860 p. 18 x 12 x 2 $\frac{1}{2}$  - 14 x 12 x 3. V. 2-33, 1861-1910, northeast strm., bsmt.; v. 34-43, 1911-19, southeast strm., bsmt.; v. 44-61, 1920--, co. clk.'s off., 1st fl.

198. CLERK'S PROBATE DOCKET, 1874--. 18 v. (2 not numbered, 1-16).

1861-73 in Probate Judge's Docket, entry 197.

Docket of administrators', executors', and guardians' petitions to close estates, showing names of administrator, executor, or guardian, final report, and docket number. Also contains Clerk's Docket, Sales of Real Estate and Special Assessments, 1874-1925, entry 204. Arr. chron. No index. Hdw. under pr. hdgs. 157 p. 14 x 8 x 1. 2 v. not numbered, v. 1-13, 1874-1927, tax record rm., bsmt.; v. 14-16, 1928--, co. clk.'s off., 1st fl.

Probate Business

199. PROBATE JUDGMENT DOCKET INDEX (Direct and Indirect), 1849--.

1 v. (A).

Direct and indirect index to probate judgment and claim dockets, showing names of claimant and estate, and docket letter and page number. Arr. alph. by names of estate and claimant; p. 1-119 are a direct index arr. by name of claimant; p. 120-240 are an indirect index arr. by name of estate. Hdw. under pr. hdgs. 240 p. 18 x 12 $\frac{1}{2}$  x 2. Co. clk.'s off., 1st fl.



200. PROBATE CLAIM JUDGMENT DOCKET AND LEDGER, 1849--. 21 v. (A-U). Docket of estate claims and judgments, showing names of estate, administrator or executor, and sureties, and dates and amounts of bond, sale, and judgment. Also contains Claims Allowed, entry 201, and Estate Judgment Docket, 1849-58, 1878--, entry 202. Arr. chron. For index, see entry 199. Hdw. under pr. hdgs. 478 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

For prior records of claims against estates, see entry 178.

201. CLAIMS ALLOWED, 1858-1909. 3 v. (1-3). 1849-- also in Probate Claim Judgment Docket and Ledger, entry 200.

Docket of claims filed and allowed, showing names of administrator, claimant, deceased, heirs, fee book and page numbers, memorandum of will, dates of action, sale of real estate, and filing. Arr. chron. Indexed alph. by name of deceased; for sep. index, see entry 199. 1858-91, hdw.; 1892--, hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

202. ESTATE JUDGMENT DOCKET, 1859-77. 1 v. 1849-58, 1878-- in Probate Claim Judgment Docket and Ledger, entry 200.

Docket of estate judgments, showing claim number, names of claimant and estate, nature and amount of claim, date summonses issued, and judgment of court. Arr. chron. No index. Hdw. Writing faded. 325 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

203. JUDGE'S INHERITANCE TAX DOCKET, 1909--. 3 v. (3-5).

Prior records cannot be located.

Inheritance tax docket showing name of estate, legal description of property, appraised value, exemptions, amount of tax as found by the court, and dates of notice and tax return. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 300 p. 18 x 12 x 1½. Co. clk.'s off., 1st fl.

204. CLERK'S DOCKET, SALES OF REAL ESTATE AND SPECIAL ASSESSMENTS, 1926--. 2 v. (4, 5). 1874-1925 in Clerk's Probate Docket, entry 198.

Clerk's docket of sale of probate property with special assessments thereon, showing names of estate, petitioner, and defendant, and amounts and dates of special assessments and sales. Arr. chron. Indexed alph. by name of deceased. Hdw. under pr. hdgs. 500 p. 12 x 14 x 2. Co. clk.'s off., 1st fl.

Fee Books  
(See also entry 97)

205. PROBATE FEE BOOK, 1847--. 30 v. (1-30).

Ledger of fees received in probate cases, showing date and amount received, from whom, and remarks. Also contains Fee Book, Insane (County Court), 1847-80, entry 160; Fee Book Conservator, 1847-54, entry 206; Guardians' Fee Book, 1847-55, entry 207; and Probate Judge's Fee Book, 1847-54, 1879--, entry 208. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 636 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.



206. FEE BOOK CONSERVATOR, 1855--. 25 v. (7 not numbered, 8-25).

1847-54 in Probate Fee Book, entry 205.

Ledger of fees received from conservator cases, showing names of estate and conservator, date and amount of fees for services rendered, and total amount of clerk's earnings received. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 640 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

207. GUARDIANS' FEE BOOK, 1856--. 21 v. (1-21). 1847-55 in Probate

Fee Book, entry 205.

Ledger account of fees received from guardian cases, showing names of estate and guardian, date and amount of fee, and total fees. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 640 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

208. PROBATE JUDGE'S FEE BOOK, 1855-78. 4 v. (1, 3, 5, A).

1847-54, 1879-- in Probate Fee Book, entry 205.

Judge's record of fees received in probate cases, showing document number, name of estate, and date, kind, and amount of fee. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2½. Southeast strm., bsmt.

## VI. CIRCUIT COURT

The circuit court has original jurisdiction of all causes of law and equity, and acts as a court of appeals in probate matters and causes cognizable by the county court and justices of the peace.<sup>1</sup> In addition, it is one of the courts capable of having naturalization jurisdiction according to Federal Statutes.<sup>2</sup>

Originally, the circuit court was held in Knox County by justices of the supreme court. At the same time there was appointed by the General Assembly a circuit judge who, together with the justices of the supreme court, administered justice throughout the circuit as part of the

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1. Constitution of 1870, Art. VI, sec. 12; L.1871-72, p. 77; R.S.1874, p. 339; L.1895, p. 185; L.1919, p. 134; L.1933, p. 688; L.1935, p. 1.
  2. U.S.S.1802, p. 153; U.S.R.S.1874, p. 378; U.S.S.1906, p. 596; U.S.S.1913, p. 737; U.S.S.1926, p. 709.





judicial branch of government.<sup>1</sup> The circuit judge and justices of the supreme court held the circuit court in Knox County from 1830 to 1835 in the manner and at the terms prescribed by law.<sup>2</sup> In 1835 the judiciary was reorganized and an additional circuit judge was appointed by the General Assembly for the district serving Knox County. All of the laws requiring supreme court justices to hold circuit courts were repealed by this legislation.<sup>3</sup> The new plan of organization was tenable for a brief period of six years, for in 1841 additional associate justices of the supreme court were elected by joint ballot of the General Assembly, which justices, together with the other justices of the supreme court, held the circuit courts.<sup>4</sup> Then in 1849, another change was made in the circuit court. This latter change was made in accordance with the second constitution which provided for the election of circuit judges by the judicial district electorate.<sup>5</sup> The Constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.<sup>6</sup> From 1849 to the present the circuit judges have been elective officers of the judicial district electorate. The district of which Knox County is a circuit is made up of six counties.<sup>7</sup>

Three circuit judges are elected for the district who serve for six-year terms.<sup>8</sup> Before entering upon the duties of his office, each circuit judge is required to subscribe to an oath which he files with the secretary of state. Those elected after the first Monday of June 1933, receive a salary of \$7,200 which is paid out of the state treasury.<sup>9</sup>

The hearings of several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests of the election of judges of the supreme court, judges of the circuit court, and members of the state board of equalization, but no judge of the circuit court is allowed to sit upon a hearing of any case in which he is a party.<sup>10</sup> Also the circuit court hears and determines the election contests of some

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1. R.L.1829, p. 48; R.L.1833, p. 152,156,157.

2. Ibid.

3. L.1835, p. 150,151.

4. L.1841, p. 173; R.S.1845, p. 143.

5. Constitution of 1848, Art. V, sec. 7.

6. Constitution of 1870, Art. VI, sec. 13.

7. L.1933, p. 435.

8. Constitution of 1870, Art. VI, sec. 12.

9. L.1933, p. 621; L.1937, p. 189,606. In 1835 the salary of the circuit judge was \$750 per annum. L.1835, p. 167. The Constitution of 1870 set the salary at \$3000 until otherwise provided by law. Constitution of 1870, Art. VI, sec. 16. A few of the recent changes were: from 1919 to 1925 for judges elected during this period, \$6500; for the period 1925 to 1933, those elected received \$8000 per year. L.1919, p. 553, 554; L.1925, p. 400; L.1931, p. 148.

10. L.1899, p. 152.



of the local and county offices. These include contests of judge of the county court, mayors of cities, president of the county board, presidents of villages, elections in reference to removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county, and concurrent jurisdiction with the county court in cases of contested elections under its jurisdiction.<sup>1</sup>

Included under the jurisdiction of the circuit court are also appeals from the Illinois Commerce Commission's rules, regulations, orders or decisions. Such appeals may be taken to the circuit court serving Knox County when the subject matter of the hearing is situated in this county. The appeal may be heard for the purpose of having the reasonableness or lawfulness of the rule, regulation, order or decision inquired into and determined.<sup>2</sup>

To make possible the handling of much litigation, a branch circuit court may be held at the same time that the main or regular circuit court for Knox County is in session. A branch court is held by any circuit judge or by any judge of any other circuit called in for the purpose of hearing and deciding motions and settling the issues in any, or all, causes pending in the circuit court, and for the purpose of hearing chancery causes and cases at law which are pending in such court for that term. The presiding judge of the main circuit court assigns to the branch court as many of the law and chancery cases for the settling of issues therein, as the presiding judge of the branch court will possibly have time to hear and try.<sup>3</sup>

Also to aid in the speedy administration of justice, the judges or a majority of them, may by an order entered of record in the office of the clerk of the circuit court, dispense with either or both the grand and petit juries for any term or part of term of the circuit court, and may designate what term or terms, or part of parts thereof, shall be devoted to criminal business, and what term or terms, or part or parts thereof, to civil business.<sup>4</sup>

Each of the three judges of the circuit court is authorized to appoint one official shorthand reporter. This appointee is required to be skilled in verbatim reporting and is not allowed to hold more than one such official appointment. The appointment is in writing and is required to be filled in the office of the auditor of public accounts. The reporter holds office until his appointment is revoked by the appointing judge or the termination of the said judge's term. When the official reporter is absent or disabled, the presiding judge may appoint any other competent reporter to act during such absence or disability. The substitute is paid

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1. L.1871-72, p. 380; L.1895, p. 170.

2. L.1921, p. 742,743.

3. L.1873-74, p. 82,83; L.1905, p. 146.

4. L.1835, p. 168; L.1873, p. 81; L.1933, p. 441,442.



by the official reporter for his services. The reporter causes full stenographic notes of the evidence in all trials before the court to be taken down and transcript of the same to be correctly made if desired by either party of the suit, by their attorney, or by the judge of the court. Each of the reporters receives and is paid out of the state treasury an annual salary of \$3,600. The salaries are paid out monthly on the warrant of the auditor of public accounts.<sup>1</sup>

The probation officer for adult probationers is an appointee of the circuit court.<sup>2</sup> His services extend throughout the county. Courts exercising criminal or quasi-criminal jurisdiction are given power to deal with adult or juvenile offenders of specified offences under the provisions of this act of creation. In the performance of his prescribed duties, the probation officer principally serves the county and circuit courts. He is required to give bond as determined by the circuit court in a sum not exceeding \$5,000, and is subject to the rules and removal of the said appointing court. Knox County has one probation officer under the allowance of one for each 50,000, or fraction thereof, of population.

The probation officer is compensated at a rate determined by the county board. In the performance of his duties, he is required to investigate the case of defendants requesting probation; notify the court of previous conviction or probation; make reports to the respective courts; keep a set of records as described below; take charge of and watch over all persons placed on probation, and cases of probationers moving from another county into his county.<sup>3</sup>

The reports made by the probation officer to the courts are kept by the clerk in the respective cases. The courts' probation records include orders granting or refusing release on probation, probationers' bonds, the reports of probation officers noted above, and discharge of probationers.

The probation officer is required to keep complete accurate records of investigated cases, including description of the investigated persons, the action of the court, the subsequent history of probationers. These are private records and open to inspection by any judge or by any probation officer pursuant to a court order and are not public records.<sup>4</sup>

Unlike the judges of the circuit court, who are elected by the judicial district electorate, the clerk of this court is elected by the county electorate.<sup>5</sup> This official performs the ministerial duties of the circuit

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1. L.1887, p. 159,160; L.1927, p. 395.

2. L.1911, p. 280,281.

3. L.1911, p. 281,282; L.1915, p. 381,382.

4. L.1911, p. 277-84; L.1915, p. 378-84.

5. Constitution of 1848, Art. V, sec. 7; Constitution of 1870, Art. X, sec. 8.



court of Knox County and files and preserves its records as well as those of the branch circuit courts.<sup>1</sup> He is commissioned by the Governor and before entering upon the duties of his office, gives bond with sureties which are approved by any two of the judges of the court. His bond is given in the sum of not less than \$5,000 and agreed upon by the judges. The oath to which he subscribes is filed with the secretary of state.<sup>2</sup> If a vacancy occurs in this office and the unexpired term does not exceed one year, the court is required to fill such vacancy by appointment of a clerk pro tempore. The appointee is then required to qualify for office in the manner as the clerk of the circuit court. When the appointment is made, the court notifies the Governor of the filled vacancy. The Governor in turn, as soon as practicable, issues a writ of election for circuit clerk.<sup>3</sup>

The clerk of the circuit court was first appointed by the circuit court in Knox County.<sup>4</sup> He kept a record of all the oaths that he administered and certified a copy annually to the secretary of state.<sup>5</sup> The clerk preserved a complete record of all proceedings and determinations of the court of which he was clerk.<sup>6</sup> At each term of the circuit court, the clerk inquired into the condition of the treatment of prisoners and was required to see that all prisoners were humanely treated.<sup>7</sup> This authority was in later years, and is at present, delegated to the circuit court.<sup>8</sup> One of the early requisites of this office was for the clerk of the circuit court to reside near the county seat in order that he could attend to his duties daily. In the event that it were not possible for him to be in daily attendance, the presiding judge and the county commissioners' court were to fill such vacancy. The Constitution of 1848 made the clerk of the circuit court an elective officer of the county electorate with a four-year term. This arrangement continues until the present.<sup>9</sup>

The clerk is able to perform the several duties of his office with the aid of his staff which consists of assistants and deputy clerks who are appointed by him in a number determined by rule of the circuit court.<sup>10</sup> This order is entered as of record and the compensation of such assistants and deputies is set by the county board.<sup>11</sup>

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1. L.1905, p. 147.

2. R.S.1845, p. 146,147; R.S.1874, p. 260.

3. L.1873-74, p. 95

4. Constitution of 1818, Art. IV, sec. 6; R.L.1833, p. 152; R.S.1845, p. 146,147.

5. L.1819, p. 349.

6. R.L.1829, p. 44; R.L.1833, p. 152; R.S.1845, p. 147

7. R.L.1827, p. 248.

8. R.S.1874, p. 616; L.1923, p. 423.

9. Constitution of 1848, Art. V, sec. 29; Constitution of 1870, Art. X, sec. 9.

10. L.1831, p. 49; Constitution of 1870, Art. X, sec. 9.

11. Constitution of 1870, Art. X, sec. 9.





Among the records kept by the clerk for the circuit court are the following:<sup>1</sup>

1. Books of record of the proceedings and judgments of the court, with alphabetical indexes by parties. Proceedings are recorded at length only in cases designated by law, or when the court, at the motion and assumption of expense by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records." Intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket, in which all suits are entered in the order they are commenced.
4. A judgment and execution docket, containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice, the bar docket has tended to drop out of use.
6. A fee book, in which costs and fees are to be entered under the proper title of the case. In practice separate series of volumes are maintained under such titles of causes.
7. Transcripts of proceedings in appeals from justices', city and foreign courts, dockets thereof, and transcripts of judgment for liens, etc., from the former. Separate well-bound books are required to be kept for each city court which are to contain an alphabetical docket of all judgment decrees rendered in the city court. The books also provide entries of data relating to the filing of the transcript with the corresponding number of the transcript.<sup>2</sup>
8. Naturalization proceedings, from petitions to final certificates; Federal Statutes allowing the circuit court to exercise jurisdiction.
9. Reports to the court from its designated masters in chancery, the state's attorney, and the coroner's inquest juries.
10. Jury venires, summonses, certificates, etc.

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1. The Civil Practice Act of 1933 grants authority to the circuit courts, subject to rules promulgated by the supreme court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court. L.1933, p. 785.
  2. R.S.1874, p. 347; L.1901, p. 136.



11. Original documents used in court hearings and determinations. These documents are of particular importance because in a large number of cases the complete proceedings are not spread on court record.
12. Monthly reports of the warden of the county jail, containing a list of all prisoners in his custody, showing causes of commitment and persons by whom committed.<sup>1</sup>

### Proceedings of Court

#### Case Papers

209. COMMON LAW CASES, 1836--. 1140 f.b. (1-270, 313-474, 1-708).

Title varies: Circuit Court Papers.

Papers filed in common law cases, including complaints, summonses, executions, exhibits, judgments, appeals, transcripts, and court orders. Arr. chron. Hdw. and typed. 9 x 5 x 13 - 7 x 5 x 10. F.b. 1-270, 313-474, 1836-1903, southeast strm., bsmt.; f.b. 1-708, 1904--. cir. clk.'s off., 1st fl.

210. INDEX TO COURT PAPERS, COMMON LAW, 1836--. 3 v. (1-3).

Index to common law cases, showing names of plaintiff and defendant, and file box and case numbers. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2 $\frac{1}{2}$ . Cir. clk.'s off., 1st fl.

211. CIRCUIT COURT PAPERS, CHANCERY, 1839--. 1017 f.b. (1-1017).

Papers filed in chancery cases, including complaints, summonses, decrees of divorce and foreclosure, transcripts, and court orders. Arr. chron. Hdw. and typed on pr. fm. 9 x 5 x 13. Cir. clk.'s off., 1st fl.

212. INDEX TO DISPOSED OF COURT FILES, CHANCERY, 1839--. 3 v. (1-3).

Index to chancery court papers, showing names of plaintiff and defendant, and case and file box numbers. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2 $\frac{1}{2}$ . Cir. clk.'s off., 1st fl.

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1. R.L.1827, p. 217; R.S.1845, p. 57, 323-26, 414, 418, 419, 518; L.1865, p. 79, 80; L.1871-72, p. 325; R.S.1874, p. 262, 263, 339, 616; L.1877, p. 77; L.1895, p. 217; L.1933, p. 378-80, 677; U.S.S.1902, p. 153-55; U.S.R.S.1874, p. 378-80; U.S.S.1906, p. 597-607; U.S.S.1906, p. 709, 710; U.S.S.1929, p. 154, 155.



213. CIRCUIT COURT PAPERS, CRIMINAL LAW, 1837--. 80 f.b. (40 not numbered, 1-40).

Papers filed in criminal cases, including indictments, true bills, reports of grand jury, verdicts of jury, summonses, appeals, recognizance bonds, and orders of court. Includes Appeal Bonds, 1837-1927, entry 249. Arr. chron. Hdw. and typed on pr. fm. 7 x 5 x 10 - 9 x 5 x 13. 40 f.b. not numbered, 1837-1903, southeast strm., bsmt.; f.b. 1-40, 1904--, cir. clk.'s off., 1st fl.

214. INDEX, CRIMINAL FILES, 1837--. 1 v. (2).

Index to circuit court criminal papers, showing name of defendant, and file box and case numbers. Arr. alph. by name of defendant. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2½. Cir. clk.'s off., 1st fl.

215. MECHANICS' LIENS, 1887--. 1 wooden box, 2 f.b.

Mechanics' liens for labor and material, showing description of property owned by defendant, itemized list of material and labor furnished, date, total of bill less any amounts credited, notarial acknowledgment, and date of filing. Arr. alph. by name of defendant. No index. Hdw. and typed on pr. fm. Wooden box, 18 x 20 x 24; f.b., 6 x 9 x 13. 1 wooden box, 1887-1932, southeast strm., bsmt.; 2 f.b., 1933--, cir. clk.'s off., 1st fl.

#### Records

216. PLAINTIFF - DEFENDANTS' INDEX, 1865--. 18 v. (A-I, plaintiff; A-I, defendant).

Index to common law, criminal, and chancery records, showing case number, names of defendant and plaintiff, kind of action, term date commenced and disposed of, record book and page numbers, date of judgment, and volume and page numbers of judgment docket and fee book. Arr. alph. by name of defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s off., 1st fl.

217. COMMON LAW RECORDS, 1841--. 48 v. (1-48). 1833-40 in (Circuit Court Record), entry 220.

Record of common law cases, showing term date, case number, names of plaintiff, defendant, and attorneys, cause of action, proceedings, and orders of court. Also contains Criminal Records, 1841-67, entry 219, and Mechanics' Liens, 1841-86, entry 222. Arr. chron. Indexed alph. by names of plaintiff and defendant; for sep. index, 1865--, see entry 216. 1841-1906, hdw.; 1907--, typed. 530 p. 18 x 12 x 3. Cir. clk.'s off. annex, 1st fl.

218. CHANCERY RECORDS, 1841--. 140 v. (1-140). 1833-40 in (Circuit Court Record), entry 220.

Record of chancery cases, showing names of plaintiff, defendant, and attorneys, cause of action, proceedings, and court orders. Arr. chron. Indexed alph. by names of plaintiff and defendant; for sep. index, 1865--, see entry 216. 1841-1916, hdw.; 1917--, typed. 600 p. 18 x 12 x 3. Cir. clk.'s off. annex, 1st fl.



219. CRIMINAL RECORDS, 1868--. 27 v. (1-27). 1833-40 in (Circuit Court Record), entry 220; 1841-67 in Common Law Records, entry 217.

Record of criminal cases, showing term date, case number, names of plaintiff, defendant, and attorneys, cause of action, proceedings, and court orders. Arr. chron. Indexed alph. by name of defendant; for sep. index, see entry 216. 1868-1915, hdw.; 1916--, typed. 600 p. 18 x 12 x 3. Cir. clk.'s off. annex, 1st fl.

220. (CIRCUIT COURT RECORD), 1833-40. 1 v. Prior records cannot be located.

Record of common law, criminal, and chancery cases, showing term date, case number, names of plaintiff, defendant, and attorneys, action, and orders of court. Contains Common Law Records, entry 217; Chancery Records, entry 218; and Criminal Records, entry 219. Arr. chron. No index. Hdw. 150 p. 12 x 9 x 1. West strm., 4th fl.

221. EVIDENCE RECORD, 1885--. 155 v.

Transcripts of plaintiffs' and defendants' evidence as taken by court reporter, and judge's ruling as to objections. Arr. by case no. Indexed alph. by names of plaintiff and defendant. 1885-1913, hdw.; 1914--, typed. 200 p. 11 x 8 x 2. 121 v., 1885-1930, southeast strm., bsmt.; 34 v., 1931--, cir. clk.'s off., 1st fl.

222. MECHANICS' LIENS, 1887--. 4 v. (1-4). 1841-86 in Common Law Records, entry 217.

Record of mechanics' liens, showing names of parties, amount and nature of claim, description of property, and acknowledgment of satisfactions; also contains records of liens on gets. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 129 p. 12 x 15½ x 2. Cir. clk.'s off., 1st fl.

223. CONFESSION RECORD, 1894--. 4 v. (22, 40, 44, 46).

Record of judgments by confession, showing date, case number, names of plaintiff, defendant, and attorneys, cognovit, amount of debt, judgment entered, and order for execution. Arr. chron. Indexed alph. by name of defendant. Hdw. on pr. fm. 640 p. 18 x 12 x 3. Cir. clk.'s off. annex, 1st fl.

For docket entries of judgment by confession, see entry 236.

224. COURT RECORD DEFAULTS, 1859-78. 1 v. Discontinued.

Record of cases in which defendant defaulted, showing names of plaintiff and defendant, dates to appear in court, and court orders. Arr. chron. Indexed alph. by name of defendant. Hdw. on pr. fm. 592 p. 18 x 12 x 2. Southeast strm., bsmt.

For docket entries, see entry 231.





Transcripts

225. TRANSCRIPTS FROM J. P. COURTS, 1841--. 1 bdl., 9 v. (A, 2-9).

Title varies: Transcripts.

Transcripts of proceedings of justice of peace courts, showing case number, date, names of plaintiff and defendant, cause of action, proceedings, judgment, and amount of fees and cost. Arr. chron. 1841-1917, no index; for index, 1918--, see entry 226. 1841-75, hdw.; 1876--, hdw. on pr. fm. Bdl. 4 x 9 x 3; v. 600 p. 18 x 12 x 3. 1 bdl., 1841-45, clock tower rm., 4th fl.; v. A, 2-7, 1846-1912, southeast str., bsmt.; v. 8, 9, 1913--, cir. clk.'s off. annex, 1st fl.

226. INDEX TO CRIMINAL TRANSCRIPTS, 1918--. 1 v. (2).

Index to transcripts from justice of peace courts, showing case number, date, name of defendant, nature of offense, and court of origin. Arr. alph. by name of defendant. Hdw. under pr. hdgs. 50 p. 18 x 12 x 1. Cir. clk.'s off., 1st fl.

Dockets

227. GENERAL DOCKET, 1871--. 10 v. (1-10). 1831-70 in Judge's Docket, entry 231.

Docket of common law, criminal, and chancery cases, showing docket number, term date, and names of plaintiff, defendant, and attorneys. Also contains Entries of Appearance (Docket), 1871-1903, 1908--, entry 240. Arr. by case no. No index. Hdw. under pr. hdgs. 640 p. 18 x 12 x 3. V. 1-7, 1871-1928, southeast str., bsmt.; v. 8-10, 1929--, cir. clk.'s off., 1st fl.

228. JUDGE'S DOCKET, COMMON LAW CASES DISPOSED OF, 1903--. 7 v.

1831-1902 in Judge's Docket, entry 231.

Docket of common law cases disposed of, showing term date, case number, names of plaintiff, defendant, attorneys, and sureties, cause of action, amount of bond, and orders of court. Arr. by case no. No index. Hdw. and typed under pr. hdgs. 1000 p. 14 x 12 x 7. Cir. clk.'s off. annex, 1st fl.

229. JUDGE'S DOCKET, CHANCERY CASES DISPOSED OF, 1894--. 7 v.

1831-93 in Judge's Docket, entry 231.

Docket of chancery cases disposed of, showing term date, case number, names of attorneys, plaintiff, and defendant, cause of action, and orders of court. Arr. by case no. No index. Hdw. and typed under pr. hdgs. 1000 p. 14 x 12 x 6. Cir. clk.'s off. annex, 1st fl.

230. JUDGE'S DOCKET, CRIMINAL CASES DISPOSED OF, 1904--. 4 v.

1831-1903 in Judge's Docket, entry 231.

Docket of criminal cases disposed of, showing term date, case number, names of plaintiff, defendant, attorneys, and sureties, cause of action, amount of bond, and court orders. Arr. by case no. No index. Hdw. and typed under pr. hdgs. 1000 p. 14 x 12 x 6. Cir. clk.'s off. annex, 1st fl.



231. JUDGE'S DOCKET, 1831-1906. 73 v. (31 not labeled, B-Z, 1-17).

Discontinued. Title varies: Circuit Court Docket.

Docket of common law, criminal, and chancery cases, including defaults, showing date, case number, names of plaintiff, defendant, and attorneys, and action and orders of the court. In three of the unlabeled volumes from 1841-43, there are orders written and signed by Stephen A. Douglas, at that time circuit judge of the 5th Judicial District. Subsequent to 1893, 1902, and 1903 respectively, kept as Judge's Docket, Chancery Cases Disposed Of, entry 229; Judge's Docket, Common Law Cases Disposed Of, entry 228; and Judge's Docket, Criminal Cases Disposed Of, entry 230. Also contains General Docket, 1831-70, entry 227; Clerk's Docket, 1831-42, entry 235, including Clerk's Docket, Common Law, entry 232, Clerk's Docket - Chancery, entry 233, and Clerk's Docket Criminal Law, entry 234; and Judgment Docket, 1831-40, entry 236. 1831-57, arr. chron.; 1858-1906, arr. by case no. No index. Hdw. under pr. hdgs. 150 - 640 p. 17 x 11 x 2 $\frac{1}{2}$  - 12 x 6 x 1. 31 v. not labeled, 1831-57, west strm., 4th fl.; v. B-Z, 1-17, 1858-1906, southeast strm., bsmt.

232. CLERK'S DOCKET, COMMON LAW, 1903--. 7 v. 1831-42 in Judge's

Docket, entry 231; 1843-1902 in Clerk's Docket, entry 235.

Clerk's docket of disposed of court cases, showing term date, names of plaintiff, defendant, and attorneys, case number, cause of action, file box, fee book and page numbers, and dates of commencement and disposition of case. Arr. by case no. Indexed alph. by names of plaintiff and defendant. Hdw. and typed under pr. hdgs. 1000 p. 14 x 12 x 6. Cir. clk.'s off. annex, 1st fl.

233. CLERK'S DOCKET - CHANCERY, 1903--. 5 v. 1831-42 in Judge's

Docket, entry 231; 1843-1902 in Clerk's Docket, entry 235.

Clerk's docket of disposed of court cases, showing term date, names of plaintiff, defendant, and attorneys, case number, cause of action, file box, fee book and page numbers, and dates of commencement and disposition of case. Arr. by case no. Indexed alph. by names of plaintiff and defendant. Hdw. and typed under pr. hdgs. 1000 p. 14 x 12 x 6. Cir. clk.'s off. annex, 1st fl.

234. CLERK'S DOCKET CRIMINAL LAW, 1903--. 4 v. 1831-42 in Judge's

Docket, entry 231; 1843-1902 in Clerk's Docket, entry 235.

Clerk's docket of disposed of court cases, showing term date, case number, names of plaintiff, defendant, and attorneys, cause of action, file box, fee book and page numbers, and dates of commencement and disposition of case. Arr. by case no. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 1000 p. 14 x 12 x 6. Cir. clk.'s off. annex, 1st fl.

235. CLERK'S DOCKET, 1843-1902. 114 v. 1831-42 in Judge's Docket, entry 231.

Clerk's docket of common law, criminal, and chancery cases, showing term date, case number, names of attorneys, plaintiff, and defendant, cause of action, and court orders. Subsequently kept as Clerk's Docket, Common Law; entry 232; Clerk's Docket - Chancery, entry 233; and Clerk's Docket Criminal Law, entry 234. Arr. by case no. No index. 1843-63, hdw.; 1864-1902, hdw. under pr. hdgs. 200 p. 14 x 9 x 1. 16 v., 1843-69, west strm., 4th fl.; 98 v., 1870-1902, southeast strm., bsmt.



236. JUDGMENT DOCKET, 1841--. 19 v. (1-19). 1831-40 in Judge's Docket, entry 231.

Docket of judgments, including judgments by confession, showing names of plaintiff, defendant, and attorneys, case number, action, record and fee book page numbers, date, amount and against whom judgment entered, and satisfaction. Also contains Praeceptum for Execution (Execution Docket), 1841-78, entry 238. Arr. alph. by name of person against whom judgment is entered. 1841-64, no index; for index, 1880--, see entry 237; 1865--, also indirectly indexed in entry 216. Hdw. under pr. hdgs. Paper poor. 370 p. 18 x 12 x 3. Cir. clk.'s off., 1st fl.

237. JUDGMENT FOR COSTS (Index to Judgment Dockets), 1880--. 4 v. (1-4).

Index to judgment dockets, showing instrument number, against whom entered, record book, fee book, and page of entry, date, and remarks. Arr. alph. by name of plaintiff. Hdw. under pr. hdgs. 480 p. 18 x 12 x 2 $\frac{1}{2}$ . Cir. clk.'s off., 1st fl.

238. PRAECEPTUM FOR EXECUTION (Execution Docket), 1879--. 8 v. 1841-78 in Judgment Docket, entry 236.

Execution docket showing names of plaintiff, defendant, and attorneys, execution number, and date of judgment. Arr. alph. by name of person against whom judgment is entered. 1879-83, no index; for index, 1884-1909, see entry 239. 1910--, indexed alph. by name of defendant. Hdw. on pr. fm. 150 p. 10 x 14 x 1. 6 v., 1879-1926, southeast str., bsmt.; 2 v., 1927--, cir. clk.'s off., 1st fl.

239. INDEX TO EXECUTION DOCKETS, 1884-1909. 1 v. Discontinued.

Index to execution docket, showing names of plaintiff and defendant, date, amount of fees, and fee book and page of record. Arr. alph. by name of defendant. Hdw. under pr. hdgs. Writing faded. 100 p. 18 x 12 x 2. Southeast str., bsmt.

240. ENTRIES OF APPEARANCE (Docket), 1904-7. 2 v. 1871-1903, 1908-- in General Docket, entry 227.

Appearance docket showing names of court, witnesses, and attorneys' requests to court for subpoena of witnesses, and date of notice. Arr. chron. No index. Hdw. on pr. fm. Writing faded. 238 p. 14 x 9 x 1. Southeast str., bsmt.

241. BAR DOCKET, 1851-78. 2 v. Discontinued.

Circuit court docket showing names of plaintiff, defendant, and attorneys, type of case, term date, and court order. Since 1878 printed pamphlets are made up for each term of court and are not kept as a permanent record. Arr. chron. No index. Hdw. under pr. hdgs. 160 p. 14 x 8 $\frac{1}{2}$  x  $\frac{1}{2}$ . Northwest str., 4th fl.

242. STATE'S ATTORNEY'S DOCKET, 1865. 1 v. Discontinued.

General docket showing type of case, names of plaintiff and defendant, action, and general remarks. Arr. chron. No index. Hdw. under pr. hdgs. 125 p. 14 x 9 x 1. Northwest str., 4th fl.



Circuit Court - Fee Books;  
Reports to the Court; Jury  
Records

(243-247)

Fee Books  
(See also entries 260, 262)

243. FEE BOOKS, 1841--. 39 v. (4 not numbered, 1-35). Fees for common law, criminal, and chancery cases and transcripts, showing case number, names of plaintiff and defendant, cause of action, term date, itemized list of fees, amount, and signature of clerk. Arr. chron. Indexed alph. by names of plaintiff and defendant; for sep. index, see entry 216. 1841-63, hdw.; 1864--, hdw. under pr. hdgs. 640 p. 18 x 12 x 3. 4 v. not numbered, v. 1-17, 1841-92, southeast strn., bsmt.; v. 18-35, 1893--. cir. clk.'s off., 1st fl.

Reports to the Court

244. STATE'S ATTORNEY'S REPORTS, 1873--. 2 v. Prior records cannot be found.  
State's attorney's quarterly reports, showing case number, names of defendant and court, amount of fines and fees, and total amount paid to county treasurer. Arr. chron. No index. Hdw. under pr. hdgs. 320 p. 18 x 12 x 2. Cir. clk.'s off., 1st fl.
245. MASTER'S REPORTS, 1897--. 1 f.b. Prior records cannot be located. Reports of master in chancery to circuit court of all moneys received, showing names of parties, case number, amount on hand, to whom due, signature of master, and date of filing. Arr. chron. No index. Hdw. and typed. 9 x 5 x 13. Cir. clk.'s off., 1st fl.

Jury Records  
(See also entries 1, 10, 22-25,  
102, 147, 156, 270, 271)

246. LIST OF GRAND AND PETIT JURORS, 1855--. 3 v. (2 not lettered, Y). 1830-54 in Proceedings of Board of Supervisors, Supervisors' Reports and Record, entry 2.  
Lists of jurors, showing name of juror, address and township, number of calls, and term of court. Arr. chron. No index. Hdw. under pr. hdgs. 250 p. 14 x 10 x 1½. 2 v. not lettered, 1855-1927, southeast strn., bsmt.; v. Y, 1928--. cir. clk.'s off., 1st fl.
247. REGISTER OF JURY CERTIFICATES, 1859--. 4 v. (1-4). 1842-58 in Clerk's Receipt and Expenditure Record, entry 259.  
Register of jury certificates, showing certificate number, date, name of juror, number of days served, mileage, and amount paid. Arr. chron. No index. Hdw. under pr. hdgs. 318 p. 16 x 10½ x 1½. V. 1-3, 1859-1926, southeast strn., bsmt.; v. 4, 1927--. cir. clk.'s off., 1st fl.





Bonds

248. APPOINTMENTS, OATHS AND BONDS, 1920--. 1 f.b. Prior records cannot be located.

Appointments, oaths, and bonds of circuit clerks and special deputies, showing date, names of officer appointed and sureties, amount and obligations of bond, notarial acknowledgment, and date of filing. Arr. chron. No index. 9 x 5 x 13. Cir. clk.'s off., 1st fl.

249. APPEAL BONDS, 1928--. 1 f.b. 1837-1927 in Circuit Court Papers, Criminal Law, entry 213.

Appeal bonds showing names of principal and sureties, amount, terms, and date of bond, signatures of principal and sureties, notarial acknowledgment, and date of filing. Arr. chron. No index. Hdw. on pr. fm. 9 x 5 x 13. Cir. clk.'s off., 1st fl.

250. CRIMINAL RECOGNIZANCE RECORD (Bonds), 1868-90. 1 v.

Record of bonds for appearance in court, showing names of defendant and sureties, case number, amount of bond, and notarial acknowledgment. Arr. chron. Indexed alph. by name of defendant. Hdw. on pr. fm. 570 p. 18 x 12 x 2. Southeast strm., bsmt.

For original recognizance bonds 1837--, see entry 213.

Probation and Parole

251. PROBATION RECORDS (Papers), 1935--. 1 f.d. Prior records cannot be located.

Probation records showing names of probationer, probation officer, and court, personal and statistical particulars, nature of crime, court orders, and condition of probation; also probation officer's monthly report of supervision, and final order of discharge. Arr. chron. No index. Hdw. and typed. 3 x 9 x 12. Sh.'s off., 2nd fl.

252. PAROLE RECORD, PENITENTIARY AND REFORM SCHOOL, 1895-98. 1 v. Discontinued.

Copies of applications for discharge under parole, showing term of court, names of parolee, judge, and court officers present, recommendation from board of pardons, date of conviction, nature of crime, term of sentence, date of parole from institution, and court order for discharge. Arr. chron. Indexed alph. by name of parolee. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Southeast strm., bsmt.



Naturalization  
(See also entries 165-169)

253. NATURALIZATION RECORD, 1930--. 2 v.

Record of naturalization including declarations of intention, petitions for final certificate, and oath, showing names of alien, witnesses, and judge. This record is a combination of Naturalization Record, Intention, entry 254, and Naturalization Records, Final, entry 255. Also contains Naturalization Records, Discharged Soldiers and Minors, entry 256, and Naturalization Record, Minors, entry 257. Arr. chron. Indexed alph. by name of alien. Hdw. and typed on pr. fm. 200 p. 12 x 9 x 1. Cir. clk.'s off. annex, 1st fl.

254. NATURALIZATION RECORD, INTENTION, 1856-1929. 7 v. (A, 2 not labeled, 1-4). Missing: 1898-1901. 1930-- in Naturalization Record, entry 253.

Record of declaration of intention to become naturalized citizen, showing date, name of alien, age, nationality, length of residence in the United States, and certificate of witness. Arr. chron. Indexed alph. by name of alien. Hdw. on pr. fm. 300 p. 14 x 9 x 1½. Cir. clk.'s off. annex, 1st fl.

255. NATURALIZATION RECORDS, FINAL, 1860-1929. 8 v. (B, 1 not labeled, 1-6). Missing: 1898-1908. 1930-- in Naturalization Record, entry 253.

Copies of final naturalization papers, showing date, name of alien, nationality, date and manner of entry into the United States, oath, witness certificate, and notarial acknowledgment. Also contains Naturalization Records, Discharged Soldiers and Minors, 1876-1929, entry 256, and Naturalization Record, Minors, 1899-1929, entry 257. Arr. chron. Indexed alph. by name of alien. Hdw. on pr. fm. 400 p. 18 x 12 x 2. Cir. clk.'s off. annex, 1st fl.

256. NATURALIZATION RECORDS, DISCHARGED SOLDIERS AND MINORS, 1865-75. 1 v. 1876-1929 in Naturalization Records, Final, entry 255; 1930-- in Naturalization Record, entry 253.

Copies of declarations of intention, petitions, and final papers of soldiers, showing name of alien, nationality, military service, oath of allegiance, and date of certificate. Also contains Naturalization Record, Minors, entry 257. Arr. chron. Indexed alph. by name of alien. Hdw. on pr. fm. Writing faded. 500 p. 18 x 12 x 2. Cir. clk.'s off. annex, 1st fl.

257. NATURALIZATION RECORD, MINORS, 1876-98. 1 v. 1865-75 in Naturalization Records, Discharged Soldiers and Minors, entry 256; 1899-1929 in Naturalization Records, Final, entry 255; 1930-- in Naturalization Record, entry 253.

Copies of petitions, oaths, and certificates for minors, showing name of minor, age, nationality, length of residence, and date of issue of certificate. Arr. chron. Indexed alph. by name of minor. Hdw. on pr. fm. 400 p. 18 x 12 x 2. Cir. clk.'s off. annex, 1st fl.



258. NATURALIZATION DOCKET, 1870-98. 2 v. (1, 2). Discontinued. Naturalization docket, showing name of alien, nationality, dates of declaration of intention and petition for naturalization, oath of allegiance, and court orders granting final certificate. Arr. by certificate no. No index. Hdw. under pr. hdgs. 145 p. 16 x 11 x 1. Southeast strm., bsmt.

Office Transactions

Receipts and Expenditures

259. CLERK'S RECEIPT AND EXPENDITURE RECORD, 1842--. 11 v. (1-11).

Prior records cannot be located.

Circuit clerk's record of receipts and expenditures, and recorder's record of fees received for recording instruments, showing case and instrument numbers, dates, from whom received or to whom paid, purpose and amount of payment. Also contains Register of Jury Certificates, 1842-56, entry 247; Fee Register, 1842-74, entry 260; Receipts and Assignments, Witnesses and Judgments (Witness Fees), 1842-87, entry 262. Arr. chron. No index. 1842-63, hdw.; 1864--, hdw. under pr. hdgs. 400 p. 18 x 12 x 2. V. 1-9, 1842-1927, southeast strm., bsmt.; v. 10, 11, 1928--, cir. clk.'s off., 1st fl.

260. FEE REGISTER, 1875--. 11 v. (1-9, 2 not numbered). Title varies:

Funds of Others. 1842-74 in Clerk's Receipt and Expenditure Record, entry 259.

Register of moneys received for court and other fees, showing date, from whom received, to whom paid, fee book and page of entry, and total amount received. Arr. chron. No index. Hdw. under pr. hdgs. 240 p. 17 x 15 x 1. V. 1-9, 1875-1922, southeast strm., bsmt.; 2 v. not numbered, 1923--, cir. clk.'s off., 1st fl.

261. CANCELLED CHECKS, 1919--. 2 bdl., 2 f.b.

Cancelled checks showing check number, date, to whom payable, amount, name of account, and signature of clerk. Arr. by check no. No index. Hdw. on pr. fm. Bdl. 9 x 9 x 24; f.b. 9 x 5 x 13. Bdl., 1919-26, southeast strm., bsmt.; f.b., 1927--, cir. clk.'s off., 1st fl.

Court Business

262. RECEIPTS AND ASSIGNMENTS, WITNESSES AND JUDGMENTS (Witness Fees), 1888--. 7 v. (1-7). 1842-87 in Clerk's Receipt and Expenditure Record, entry 259.

Record of witness fees, showing names of plaintiff, defendant, payee, and case, fee book and page of record, and amount paid. Arr. chron. Indexed alph. by name of witness. Hdw. on pr. fm. 700 p. 18 x 12 $\frac{1}{2}$  x 4. V. 1-4, 1888-1925, southeast strm., bsmt.; v. 5-7, 1926--, cir. clk.'s off. annex, 1st fl.

Correspondence

263. LETTER FILES, 1900--. 25 f.d.

Miscellaneous letters of circuit clerk in reference to court matters under his jurisdiction. Arr. alph. by name of correspondent. No index. Hdw. and typed. 3 x 12 x 12. 20 f.d., 1900-1931, southeast strm., bsmt.; 5 f.d., 1932--, cir. clk.'s off., 1st fl.



## VII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer of Knox County from the organization of the county to the present.<sup>1</sup> The term of his office was originally set at two years, but is now four years. His bond in this county is required in the sum of \$10,000 and must be approved by the county judge.<sup>2</sup> Memoranda of this bond are entered at large upon the records of the county court and the bond is filed in the office of the county clerk.<sup>3</sup> One or more deputies are appointed by the sheriff in accordance with the number allowed by rule of the circuit court. Compensation of the deputies is determined by the county board.<sup>4</sup> The sheriff is also warden of the county jail and has custody and regulation of the same and of all prisoners.<sup>5</sup> To assist him in this administration, the sheriff appoints a superintendent of the county jail and removes him at pleasure for neglect of duty or other causes.<sup>6</sup>

Essentially without change for over one hundred years, the principal duties of the sheriff are:

1. Acting as conservator of the peace, with power to arrest offenders on view.
2. Attending, in person or by deputy, all courts of record (city, county, probate, circuit, and appellate courts) in his county, and obeying the orders and direction of the said courts.
3. Serving, executing, and returning all writs, warrants, processes, orders, and decrees legally directed to him.
4. Selling real or personal property by virtue of execution or other process.

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1. Constitution of 1818, Art. III, sec. 11; Constitution of 1848, Art. VII, sec. 7; Constitution of 1870, Art. X, sec. 8; second amendment November 22, 1880, to the Constitution of 1870, Art. X, sec. 8; also L.1819, p. 110; R.S.1874, p. 989.
  2. R.S.1874, p. 990. Compare R.L.1827, p. 371. Prior to the organization of the county court, the sheriff's bond and securities were approved by the circuit court.
  3. R.S.1845, p. 514; R.S.1874, p. 989.
  4. R.L.1827, p. 373; Constitution of 1870, Art. X, sec. 9; L.1845, p. 515; L.1869, p. 399.
  5. L.1819, p. 111, 112, 160-62, 314-17, 332, 333; L.1821, p. 37, 63, 64; R.L.1827, p. 247-50; L.1831, p. 103, 104, 106; R.L.1833, p. 574, 575; L.1845, p. 10, 19; R.S.1845, p. 133, 134, 515-17; R.S.1874, p. 616, 989-91; L.1881, p. 64, 72; L.1901, p. 137; L.1923, p. 423. The citations include also references to duties not included in the general outline noted above.
  6. Ibid.





Sheriff - Process;  
Jail Records

(264-266)

5. Sending finger prints of criminals to the state bureau of criminal identification and investigation.<sup>1</sup>

In the course of the sheriff's multiple detailed duties included in these broad provisions, the following records may be kept but do not appear in Knox County:

1. Receipts of delivery of prisoner in changes of venue.
2. Copies of reports to the county court and circuit court.<sup>2</sup>
3. Reports of pawnbrokers on loans and articles pawned.<sup>3</sup>

The following records may be kept and do appear:

1. Register of prisoners.
2. Docket of executions.
3. "Books of Accounts," including records of fees and disbursements.
4. Data of identification, criminal and stolen property.

#### Process

264. SHERIFF'S PAPERS, 1847-62. 1 bdl.

Sheriff's papers including deeds, jury summonses, fieri facias executions, and fee bills. Arr. chron. No index. 2 x 4 x 9. Clock tower rm., 4th fl.

For subsequent documents, see entries 143, 209, 211, 213.

265. SHERIFF'S EXECUTION DOCKET, 1872--. 6 v. (2 not numbered, 1-4).

Docket of executions, showing case number, names of plaintiff, defendant, and sheriff, dates of receipt, service, and return, amount of fees earned and received, dates and amounts of judgment, costs, and satisfaction.

Arr. chron. Indexed alph. by name of defendant. Hdw. under pr. hdgs.

319 p. 15 x 10 x 2. 2 v. not numbered, v. 1, 2, 1872-90, southeast strm., bsmt.; v. 3, 4, 1891--, sh.'s off., 2nd fl.

#### Jail Records

266. JAIL REGISTER OF KNOX COUNTY, 1872--. 2 v.

Register of prisoners, showing register number, name of prisoner, personal and statistical particulars, dates of commitment and discharge, nature of charge, and remarks. Arr. by register no. Indexed alph. by name of prisoner. Hdw. under pr. hdgs. 1872-1900, binding poor. 300 p. 18 x 12 x 2. 1872-1900, southeast strm., bsmt.; 1901--, sh.'s off., 2nd fl.

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1. L.1827, p. 311,312,372,373; L.1829, p. 121; L.1839, p. 14-18, 20; L.1877, p. 69; L.1905, p. 146; L.1921, p. 500; L.1931, p. 465.
  2. L.1819, p. 201,317; L.1821, p. 182; R.L.1827, p. 249,273; L.1845, p. 11; R.S.1845, p. 305; R.S.1874, p. 568,901,992,1096; L.1907, p. 316-19; L.1909, p. 301; L.1921, p. 500; L.1923, p. 424; L.1929, p. 549; L.1931, p. 465; L.1933, p. 187-90.
  3. L.1909. p. 301.



267. SHERIFF'S IDENTIFICATION RECORD, 1904-6. 1 v. Discontinued. Identification record showing registration number, date of arrest, name of prisoner, personal and statistical particulars, nature of crime, and remarks. Arr. by register no. No index. Hdw. on pr. fm. 150 p. 13 x 8 x 1. Southeast strm., bsmt.

#### Receipts and Expenditures

268. CASH BOOK, 1899---. 5 v. Title varies: Register of Funds of Officers (Receipts and Expenditures). Ledger of cash received and paid out, showing date, from whom received, to whom paid, amount, purpose, and remarks. Arr. chron. 1899-1907, indexed alph. by name of account; 1908---, no index. Hdw. under pr. hdgs. 200 - 400 p. 10 x 16 x 2 - 14 x 10 x 2 $\frac{1}{2}$ . 1 v., 1899-1907, southeast strm., bsmt.; 4 v., 1908---, sh.'s off., 2nd fl.

#### Correspondence

269. SHERIFF'S CORRESPONDENCE, 1901---. 6 f.b. Letters to and from the sheriff relating to business and duties of his office. Arr. alph. by name of correspondent. No index. Hdw. and typed. 12 x 3 x 12. 5 f.b., 1901-30, southeast strm., bsmt.; 1 f.b., 1931---, sh.'s off., 2nd fl.

### VIII. CORONER

The coroner's office in Knox County has continued in existence from the date of organization of the county to the present.<sup>1</sup> The coroner is elected by the county electorate for a four-year term. He receives his commission from the Governor, upon the certification of the county clerk of his election, and filing of his bond and taking the oath of office.<sup>2</sup> The inquest duties of this official have changed little from a time antecedent to the creation of the county. The coroner acts as a conser-

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1. Constitution of 1818, Art. III, sec. 11; Constitution of 1870, Art. X, sec. 8.
  2. The office is constitutional and elective (Constitution of 1818, Art. III, sec. 11; Constitution of 1870, Art. X, sec. 8). The term, formerly two years, is now four years (second amendment, November 22, 1880, to Constitution of 1870, Art. X, sec. 8).



vator of the peace, with powers equal to the sheriff's in that respect, and serves as a ministerial officer of the courts in the absence or disqualification of the sheriff, and performs all the other duties of the latter when the office is vacant.<sup>1</sup>

The most important function of the coroner is to hold inquests over the bodies of persons supposed to have come to their death by violence, casualty, or any other undue means. Upon notification of such death, the coroner goes to the place where the body is and takes charge of the same, and summons a jury of six men of the neighborhood in which the body was found. The jury is instructed to assemble at the place where the body is to be at a stated time, and upon view of the body to inquire into the cause and manner of the death. If the inquest is continued and a vacancy occurs on the jury, the coroner is allowed to fill such vacancy.<sup>2</sup>

To the custody of the clerk of the circuit court are returned the verdict of the jury, and such recognizances as may be given the coroner by witnesses whose testimony implicates any person as the unlawful slayer of the deceased.<sup>3</sup> In his own office, the coroner files and preserves the record of such testimony.<sup>4</sup> The coroner also keeps one record which he originates, the "inquest record." This record recapitulates all the data involved in the entire inquest procedure and includes an inventory and accounting of the personal property and money of the deceased.<sup>5</sup>

Deputy coroners appointed by this official enable him to perform the duties of his office. The number of deputies is set by rule of the circuit court and their compensation is determined by the county board of supervisors. The bond or securities of these assistants are taken by the coroner and the oath to which they each subscribe is filed in the county clerk's office.<sup>6</sup>

270. CORONER'S INQUEST PAPERS, 1869--. 4 bdl., 7 f.b. No prior records could be located.

Coroner's inquest papers showing names of deceased, coroner, jurors, and witnesses, date, place, and cause of death, sex, age, residence, occupation of deceased, verdict of coroner's jury, date, list and disposition of personal effects, and disposition of body. Arr. chron. No index. Hdw. on pr. fm. Bdl. 9 x 4 x 9; f.b. 9 x 4 x 13. 3 bdl., 1869-84, clock tower rm., 4th fl.; 1 bdl., 1885-1927, southeast strm., bsmt.; 7 f.b., 1928--, cir. clk.'s off., 1st fl.

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1. L.1819, p. 111,160; L.1821, p. 20-23; L.1825, p. 63,64; R.L.1827, p. 246-50,372,373,375; R.S.1845, p. 515-17; R.S.1874, p. 281,282.
  2. L.1821, p. 22-24; R.S.1845, p. 517,518; R.S.1874, p. 282-84; L.1879, p. 82; L.1907, p. 213; L.1919, p. 403; L.1931, p. 388.
  3. L.1821, p. 24,25; R.S.1845, p. 518; R.S.1874, p. 284.
  4. L.1869, p. 104; R.S.1874, p. 283; L.1907, p. 213; L.1919, p. 293.
  5. L.1821, p. 25,26; R.S.1874, p. 283.
  6. L.1881, p. 63.



271. CORONER'S RECORD, 1870---. 4 v. (1 not lettered, B, 2 not lettered). No prior records could be located.

Record of coroner's inquests, showing date, names of deceased, coroner, jurors, and witnesses, minutes of the case, verdict of jury, description of deceased, inventory and disposition of personal effects, and remarks. Arr. chron. Indexed alph. by name of deceased. Hdq. on pr. fm. 150 p. 18 x 12 x 1 $\frac{1}{2}$ . 1 v. not lettered, v. B, 1870-1920, southeast str., bsmt.; 1 v. not lettered, 1921-29, co. clk.'s off., 1st fl.; 1 v. not lettered, 1930---, George S. Bowers' off., Bank of Galesburg Bldg.

## IX. STATE'S ATTORNEY

The state's attorney in Knox County originally performed his duties in the courts of the judicial district.<sup>1</sup> This officer performed in Knox as in each of the counties of the judicial district, commencing and prosecuting in courts of record all actions in which the people of the state or of the county were concerned.<sup>2</sup> The state's attorney was appointed by the Governor until 1835, when he became an official elected by the General Assembly. This latter provision remained effective until 1848, when the state's attorney became an elective officer of the circuit district electorate. At this time his services also were expanded to include the newly created county court. Finally, the present Constitution made the office elective in and for each county.<sup>3</sup> From the creation of this office in the state until the present, the state's attorney has continued to receive his commission from the Governor for the tenure of his office.<sup>4</sup> In 1827 his appointment was set at a four-year term, until 1835, when he was elected by the Assembly for a two-year term. Then, in 1849, the state's attorney's office became elective by the district electorate for a four-year term, the first term, however, being only for three years and ending in 1852.<sup>5</sup> In Knox County the state's attorney receives an annual salary of \$5,500, with an additional \$400 paid by the state. Statutory fee rates are allowed him for convictions on specified offenses and crimes before justices of the peace, police magistrates, county and

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1. R.L.1827, p. 79,80.

2. L.1835, p. 44; R.S.1845, p. 76.

3. R.L.1833, p. 98; L.1835, p. 44; Constitution of 1848, Art. V, sec. 21, 28; Constitution of 1870, Art. VI, sec. 22; R.S.1874, p. 172.

4. Ibid.

5. R.L.1827, p. 80; L.1835, p. 44; Constitution of 1848, Art. V, sec. 21; Constitution of 1870, Art. VI, sec. 22.





circuit courts. Also, rates are established for preliminary examination of defendant, for attendance at trials, and for appeals. These several fees and rates make up a county fund from which is paid his salary.<sup>1</sup>

The duties of the state's attorney are:

1. To commence and prosecute all actions, suits, indictments and prosecutions, civil or criminal, in any court of record in his county in which the people of the state or county may be concerned.
2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, moneys, fines, penalties, and forfeitures accruing to the state or his county, or to any school district in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought up by any county officer in his official capacity.
4. To defend all actions and proceedings brought against his county or against any county or state officer in his official capacity, in his county.
5. To attend the examination of all persons brought before any judge on habeas corpus, when the prosecution is in his county.
6. To attend before justices of the peace and prosecute charges of felony or misdemeanor for which the offender is required to be recognized and to appear before a court of record when in his power to do so.
7. To give his opinion without fee or reward, to any county officer or justice of the peace in his county upon any question of law relating to any criminal or other matter in which the people of the state or county may be concerned.
8. To assist the attorney general whenever it may be necessary, and in cases of appeal or writ of error, from his county to the supreme court, to which it is the duty of the attorney general to attend, he shall, a reasonable time before the trial of such appeal or writ of error, furnish the attorney general with a brief, showing the nature of the case and the questions involved.
9. To pay all moneys received by him in trust, without delay, to the officer who by law is entitled to the custody thereof.
10. To perform such other and further duties as may from time to time be enjoined upon him by law.

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1. L.1871-72, p. 422; L.1873-74, p. 105; L.1909, p. 231; L.1929, p. 474.



11. To appear in all proceedings by collectors of taxes against delinquent taxpayers for the judgment to sell real estate, and see that all the necessary preliminary steps have been legally taken to make the judgment legal and binding.<sup>1</sup>
12. To enforce the collection of all fines, forfeitures and penalties imposed or incurred in the courts of record in his county; and report on the collection of these moneys to the circuit court.<sup>2</sup>

For other records of the state's attorney, see entries 242, 244.

#### 272. CASE RECORDS, 1922--. 3 v.

Record of all criminal cases, showing date, case number, names of plaintiff, defendant, attorneys, and court, nature of offense, and abstract of proceedings. Arr. chron. Indexed alph. by name of defendant. Hdw. 100 p. 12 x 13 x 1. State's att.'s off., 2nd fl.

### X. SUPERVISOR OF ASSESSMENTS

The county supervisor of assessments, with the aid of the township assessors in Knox County, is responsible for the assessment of property upon which the township, district, county, state and other taxes are levied. Principally, these officers annually revise the assessment of property and correct the same upon complaint, and quadrennially assess real and personal property. Many statutory provisions have regulated the assessment function in Knox County. Early laws fixed the value of the several categories of real and personal property, leaving to the assessing officer only limited discretion.

In Knox County, property assessments were first made by the county treasurer from 1830 to 1839.<sup>3</sup> These duties were next performed by the county assessor, an appointee of the county commissioners' court, until 1844.<sup>4</sup> At that date, the county treasurer became ex-officio county assessor, performing the functions of this office.<sup>5</sup> In 1853 the assessor's duties were transferred to the several township assessors upon the election of the township form of county government.<sup>6</sup> The township

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1. R.S.1845, p. 76; R.S.1874, p. 172.  
 2. L.1909, p. 342; L.1911-12, p. 88; L.1929, p. 475.  
 3. L.1819, p. 315; R.L.1827, p. 328-36.  
 4. L.1839, p. 4.  
 5. L.1843, p. 231,237; L.1845, p. 5; L.1849, p. 127.  
 6. L.1853, p. 16,18,24; L.1855, p. 37; L.1871-72, p. 19,20.



assessment officers have principally effected the assessment of property in their respective townships from the time of the adoption of this form of government until the present. Between 1853 and 1893 the elected township assessors received the assessment lists from, and reported their assessments to the county clerk. From 1893 to 1898 the elected township board of assessors received the forms from and reported their findings to the county clerk.<sup>1</sup> Finally, in 1898, the legislature created the ex-officio office of supervisor of assessments, filled by the county treasurer. From that date until the present, the township assessment officers have worked under the direction of, and reported the assessment of property to the county treasurer in this ex-officio capacity.<sup>2</sup>

For other taxation records, see entries 1, 2, 26-57, 100, 101, 203, 277-287, 298.

273. TAX SCHEDULES, PERSONAL PROPERTY, 1928--. 15 bdl. Prior records have been destroyed.

Tax schedules of personal property compiled by assessor, showing date, name of owner, list of personal property, value as returned by owner, amount of tax, notarial acknowledgment, and name of owner. Arr. chron. No index. Hdw. under pr. hdgs.  $8\frac{1}{2}$  x  $15\frac{1}{2}$  x 12 -  $2\frac{1}{2}$  x 15 x 18. Tax record rm., bsmt.

274. CHANGES IN REAL ESTATE, 1928--. 7 bdl., 1 f.b. No prior records. Documents concerning changes in real estate affecting assessment rolls, showing date, names of previous and present owner, and legal description of property. Arr. chron. No index. Hdw. on pr. fm. Bdl. 3 x 5 x 14; f.b. 9 x 5 x 13. Bdl., 1928-34, northeast strm., bsmt.; f.b., 1935--, treas.'s off., 1st fl.

275. PERSONAL PROPERTY SCHEDULES, 1933--. 100 bdl. Prior records destroyed.

Personal property schedules as filed by owners, showing name and address of owner, list of personal property, value of each, total value, notarial acknowledgment, and date of filing. Arr. chron. No index. Hdw. on pr. fm. 14 x 9 x 3. 60 bdl., 1933-35, northeast strm., bsmt.; 40 bdl., 1936--, treas.'s off., 1st fl.

276. LIST OF TAXABLE LANDS, 1937--. 33 f.b. Prior records have been destroyed.

List of taxable real estate, showing names of township, owner, and assessor, legal description of property, and line and page number of assessor's books. Arr. alph. by name of owner. No index. Typed under pr. hdgs. 6 x 9 x 18. Treas.'s off., 1st fl.

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1. L.1893, p. 73,74.

2. L.1898, p. 37; L.1903, p. 295,296; L.1932, p. 69.



## XI. BOARD OF REVIEW

An important aspect of the revenue procedure is the authority for the review of assessments on property. In Knox County, this power is exercised by the board of review. The duties of this board are essentially to assess, equalize, review or revise the assessment of property. Early legislation provided for appeals from assessments to the county administrative body.<sup>1</sup> The board was granted power to review and revise the assessments on real and personal property.

In 1871 the town boards were given jurisdiction to annually revise the assessments in towns. The county board, in accordance with the same legislation, met annually to:

1. Assess omitted property.
2. Review assessments upon complaint.
3. Hear and determine the application of any person assessed on property claimed to be exempt from taxation.
4. Ascertain whether the valuations in one town or district bear just relation to all the towns or districts in the county.<sup>2</sup>

In 1898 this authority was transferred to the newly created board of review.<sup>3</sup> The board of review was composed of the chairman of the county board who was ex-officio chairman of the board of review, the county clerk, and a citizen appointed by the judge.<sup>4</sup> Since 1923 the board has consisted of the chairman of the county board as ex-officio chairman of the board of review, and two citizens appointed by the county judge. The members of the board select their own clerk.<sup>5</sup> The two citizen members of the board are appointed alternately for a two-year term. The board may reduce or increase the entire assessment of property.

For other taxation records, see entries 1, 2, 26-57, 100, 101, 203, 273-276, 280-287, 298.

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1. Appeals were made to the county commissioners' court; L.1839, p. 7; L.1845, p. 8; R.S.1845, p. 441. Then from 1849 to 1853, the appeals were made to the county court, and from 1853 to 1898 to the county board of supervisors. L.1849, p. 207,208; L.1871, p. 22.
  2. L.1871, p. 23.
  3. L.1898, p. 54; L.1923, p. 496; L.1932, p. 75.
  4. L.1898, p. 54.
  5. L.1923, p. 496,497.





277. TAXPAYERS' COMPLAINTS BOARD OF REVIEW, 1911--. 9 bdl.  
(1911-17, 1922-29, 1931-33), 1 f.b. (1934--). 1830-1910,  
1918-21, 1930 in Proceedings of Board of Supervisors (Papers),  
entry 1.

Original complaints of taxpayers to board of review, showing complaint number, complainant's name and address, legal description of property, and nature of complaint. Arr. chron. No index. Hdw. and typed. Bdl. 9 x 4 x 2; f.b. 8 x 8 x 10. Bdl., 1911-33, tax record rm., bsmt.; f.b., 1934--, treas.'s off., 1st fl.

278. COMPLAINT RECORD BOARD OF REVIEW, 1873--. 13 v. (A-M). 1830-72  
in Proceedings of Board of Supervisors, Supervisors' Reports and  
Record, entry 2.

Transcripts of minutes of the board of review, showing date, members present, names of complainants, address, legal description of property, nature of complaints, action, and board rulings. Arr. chron. Indexed alph. by name of complainant. Hdw. 500 p. 16 x 11 x 2 $\frac{1}{2}$ . V. A-L, 1873-1934, treas.'s off., 1st fl.; v. M, 1935--., co. clk.'s off. annex, 1st fl.

279. COMPLAINT DOCKET BOARD OF REVIEW, 1873-85. 3 v. (1-3).  
Discontinued.

Docket of tax complaints, showing complaint number, date, name and address of complainant, legal description of property, nature of complaint, and disposition by board. Arr. chron. Indexed alph. by name of complainant. Hdw. under pr. hdgs. 480 p. 18 x 12 x 2 $\frac{1}{2}$ . Southeast strm., bsmt.

## XII. COLLECTOR

Tax collections in Knox County were first made by the sheriff as ex-officio county collector from 1830 to 1853, with the exception of a brief period of four years, 1839 to 1843, when the county collector was an appointee of the county commissioners' court.<sup>1</sup> With the acceptance of the township form of government in 1853, the county treasurer became ex-officio collector of taxes.<sup>2</sup> Under this plan, town collectors, elected in each township, were required to make collection of resident property taxes and deliver their books to the county collector, who returned the said books to the county clerk.<sup>3</sup> The county collector, in turn, was charged with the collection of the non-resident property taxes.<sup>4</sup> The provision for the return of the collectors' books to the county clerk was changed in 1871 when the legislature provided for the county collector to

1. L.1819, p. 168,169,316; L.1821, p. 100; L.1822, p. 80; R.L.1827, p. 370,374; L.1839, p. 7,8; L.1843, p. 234; L.1853, p. 99.

2. L.1853, p. 14.

3. L.1855, p. 37.

4. L.1853, p. 69,70.



annually make a sworn statement to the county clerk, showing the total amount collected by him from each kind of tax, the amount received from each town collector, and the amount collected by himself.<sup>1</sup>

In 1917 the office of town collector was abolished in counties of the size of Knox and the county collector became ex-officio town collector for each of the townships in his county. As town collector, the county collector is required to perform all the duties assigned to town collectors under existing statutory requirements.<sup>2</sup>

The collector annually prepares a delinquent property list and files the same with the county clerk. He also advertises his intention of applying for judgment for sale of delinquent lands and lots and is required to attend in person or by deputy all tax sales resulting therefrom. The county clerk, in person or by deputy, is also required to attend all tax sales. At such tax sales the clerk and collector note and make entry of all tax sales and forfeitures to the state.

To recapitulate, under statutory provisions, the county collector collects taxes for the state, county and other governmental agencies; settles annually with the county board, and pays to the proper authorities the amount in his hands payable to them; and attends all tax sales in person or by deputy.<sup>3</sup>

The county collector is required by statute to keep his records as collector of taxes separate from his records as county treasurer.<sup>4</sup> The records of the collector's office include duplicates of receipts issued to taxpayers, state auditor's and county clerk's certificates of the collector's settlement with them, duplicates of the collector's reports, delinquent property records, and tax sale and forfeiture records.

For other taxation records, see entries 1, 2, 26-57, 100, 101, 203, 273-279, 298.

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1. L.1871-72, p. 56,57.
  2. L.1917, p. 792; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905; L.1933, p. 1115.
  3. L.1819, p. 317; R.L.1827, p. 373; L.1839, p. 8-12; L.1840, p. 3; L.1845, p. 9,11; L.1853, p. 67,77,111; L.1871-72, p. 32; L.1873-74, p. 51; L.1911, p. 485; L.1917, p. 664; L.1919, p. 765; L.1930, Sp. Sess., p. 59; L.1931, p. 747; L.1933, p. 930; L.1935, p. 1149.
  4. L.1917, p. 664; L.1930, Sp. Sess., p. 59; L.1935, p. 1149.



## Collection and Settlement

## 280. COLLECTOR'S SETTLEMENT RECORD, 1854--. 8 v.

County collector's record in account with township collectors, showing names of township and collector, tax spread, total on collectors' books to be accounted for, county clerk's fees, personal tax abated, collector's commission, amount due treasurer, total amount paid, date of final settlement, and signature of township collector. Arr. chron. No index. Hdw. under pr. hdgs. 460 p. 15 x 18 x 2. 6 v., 1854-1925, northeast strm., bsmt.; 2 v., 1926--, treas.'s off., 1st fl.

## 281. MEMORANDA OF TAXES COLLECTED, 1883--. 9 v. (5 not numbered, 1-4), 11 bdl.

Memoranda of daily collection of taxes, showing date, names of township and collector, amounts collected and delinquent, and annual recapitulation. Arr. chron. No index. Hdw. under pr. hdgs. 400 p., 9 x 13 x 1 - 17 x 13 x 2. 4 v. not numbered, v. 1-4, 11 bdl., 1883-1935, northeast strm., bsmt.; 1 v. not numbered, 1936--, treas.'s off., 1st fl.

## 282. STATE AND COUNTY TAX ACCOUNT, DISTRIBUTION OF TAXES, 1911--.

3 v. (1-3). 1845-1910 in Collector's Books, entry 41.

Distribution record of taxes, as distributed from town, railroad, telegraph and telephone taxes, showing names of township and city, total tax levied and collected, commissions, amount paid to state and county treasurer, and amount delinquent. Arr. chron. No index. Hdw. under pr. hdgs. 292 p. 17 x 15 x 1½. Treas.'s off., 1st fl.

## 283. COLLECTORS' ACCOUNTS, 1858-1925. 6 v. (A-F). Discontinued.

Treasurer's account with township collectors, showing names of township and collector, amount to be collected, amount collected and uncollected, and date credited. Taxes collected by township collectors, 1859-1918, and by various banks 1919-24; and by the county treasurer as ex-officio collector, 1925--. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 200 p. 16 x 11 x 2. Northeast strm., bsmt.

## Receipts

## 284. COLLECTOR'S RECEIPTS, 1849--. 2 bdl. (1849-80), 27 v. (1922), 6 f.b. (1920-35), 2 f.d. (1936--). Missing: 1881-1919.

Real and personal property tax receipts showing date, name of person assessed, description of property, amounts of taxes, date and by whom paid, and signature of collector. Also contains Tax Receipt Book (Railroads), 1849-1910, 1922--, entry 285. Arr. chron. No index. Bdl. 9 x 4 x 12; v. 200 p. 16 x 14 x 1; f.b. 18 x 20 x 34; f.d. 12 x 12 x 24. 2 bdl., clock tower rm., 4th fl.; 27 v., southeast strm., bsmt.; 6 f.b., northeast strm., bsmt.; 2 f.d., treas.'s off., 1st fl.



285. TAX RECEIPT BOOK (Railroads), 1911-21. 1 v. 1849-1910, 1922-- in Collector's Receipts, entry 284.

Carbon copies of tax receipts on railroad property, showing name of railroad, description of property, amount of tax, and date paid. Arr. chron. No index. Hdw. on pr. fm. 200 p. 14 x 14 x 1. Southeast strm., bsmt.

286. REFUND DUPLICATE PAYMENTS, 1928--. 10 envelopes. Prior records cannot be located.

Paid tax receipts showing names of township and owner, legal description of property, equalized value, school district number, amount of tax paid, and amount refunded. Arr. chron. No index. Hdw. on pr. fm. 3 x 10 x  $\frac{1}{2}$ . 9 envelopes, 1928-34, northeast strm., bsmt.; 1 envelope, 1935--, treas.'s off., 1st fl.

#### Abatement

287. ABATEMENT LIST (County and City), 1888--. 46 v. Missing: 1906, 1908, 1914, 1917.

Abatement lists of real and personal property, showing owner's name, equalized value, kind of tax, amount, cause of delinquency, and other remarks. Personal property arr. alph. by name of owner; lands and lots arr. by sec., twp., and range. No index. Hdw. under pr. hdgs. 130 p. 14 x 8 x  $\frac{1}{2}$ . 10 v., 1888-98, clock tower rm., 4th fl.; 33 v., 1899-1933, northeast strm., bsmt.; 3 v., 1934--, treas.'s off., 1st fl.

### XIII. TREASURER

The treasurer in Knox County was first appointed by the county commissioners' court.<sup>1</sup> The appointments were made annually. From 1837 to the present, the treasurer has been elected by the people of the county.<sup>2</sup> He is commissioned by the Governor for a four-year term.<sup>3</sup> The penal sum of the treasurer's bond and the security are determined by the county board.<sup>4</sup> Upon request of the treasurer, the board designates the bank in which the public funds are to be deposited.

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1. R.L.1827, p. 329; R.L.1833, p. 515, 516.
  2. R.L.1837, p. 49, 274; L.1845, p. 28; R.S.1845, p. 137; L.1851, p. 144; Constitution of 1870, Art. X, sec. 8.
  3. The term was originally set at four years in 1837; R.L.1837, p. 274. It was then reduced to two years; L.1845, p. 28; L.1851, p. 144. The office was made constitutional without change of term; Constitution of 1870, Art. X, sec. 8. Then in 1880, the term was lengthened to four years; second amendment (ratified November 22, 1880) to the Constitution of 1870, Art. X, sec. 8.
  4. R.L.1827, p. 329; R.S.1874, p. 323. The bond is required to be filed in the office of the county clerk.





In the performance of his duties, the treasurer receives the county revenue, keeps custody of its funds, and disburses them in accordance with orders of the county board or specific authorization of law. He is required to keep books of accounts of all funds received and disbursed by him, maintain a register of county orders countersigned and paid, report annually to the county board on the financial transactions of his office, and settle his accounts with the board semiannually.<sup>1</sup> The last two requirements give rise to a number of segregated records of accounts beyond strict statutory requirements. In addition, reports are made to the treasurer by other county, district, public, and semipublic authorities in the process of transacting business with him; and, finally, a large number of records arise from the requirements for collectors of taxes to settle their accounts with the treasurer.<sup>2</sup>

## Receipts and Disbursements

288. TREASURER'S FINANCIAL STATEMENTS, 1919--. 1 bdl., 1 f.b. Prior records cannot be located.

Copies of treasurer's quarterly statements to board of supervisors, showing dates, items of receipts and expenditures of county funds, amount of commission earned, and balance on hand. Arr. chron. No index. Bdl. 3 x 4 x 9; f.b. 10 x 4 x 13. Bdl., 1919, northeast str., bsmt.; f.b., 1920--, treas.'s off., 1st fl.

289. COUNTY TREASURER'S CASH BOOK, 1848--. 6 v. (1 not numbered, 1-5). Prior records cannot be located.

Daily cash book of money received and disbursed, showing from whom received, on what account, amount, date, to whom paid, purpose, and daily balance. Also contains Cash Ledger, County Treasurer, 1912--, entry 290; Institute and Non-high School Account, 1861-1924, entry 293; and Trust Funds Account, 1848-1903, entry 294. Arr. chron. No index. Hdw. under pr. hdgs. 150 - 300 p. 12 x 8 x 1 - 16 x 18 x 1½. 1 v. not numbered, 1848-52, tax record rm., bsmt.; v. 1-3, 1853-1912, southeast str., bsmt.; v. 4, 5, 1913--, treas.'s off., 1st fl.

290. CASH LEDGER, COUNTY TREASURER, 1831-1911. 7 v. Title varies: Treasurers Account Book; Treasurers Journal and County Funds Account. 1912-- in County Treasurer's Cash Book, entry 289.

Treasurer's account books showing name of account, date and from whom received, date and to whom paid, amount, order number, and balances. Arr. chron. and alph. by name of account. 1831-85, 1899-1911, no index; 1886-98, indexed alph. by names of bank and fund. 1831-49, hdw.; 1850-1911, hdw. under pr. hdgs. 1831-73, writing faded, paper poor. 300 - 450 p. 14 x 9 x 1 - 13 x 8 x 1½. 2 v., 1831-85, northwest str., 4th fl.; 1 v., 1886-94, co. clk.'s off., 1st fl.; 2 v., 1895-1911, northeast str., bsmt.

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1. R.L.1837, p. 582,583; L.1843, p. 151; R.S.1845, p. 137-39; L.1861, p. 239,240; R.S.1874, p. 323,324.  
2. R.L.1827, p. 333; L.1839, p. 8-10; L.1845, p. 11; L.1895, p. 304; L.1913, p. 516; L.1933, p. 898.



291. TREASURER'S ACCOUNTS OF BIRTHS AND DEATHS, 1902-3. 1 v. Discontinued.

Record of accounts with registrars of births and deaths, showing name and address of registrar, number of births and deaths reported, order number, and amount and date paid. Arr. by order no. No index. Hdw. under pr. hdgs. 306 p. 18 x 12 x 1½. Northeast strm., bsmt.

For registrars' reports of births and deaths to county clerk, see entry 96.

Special Accounts

School (See also entries 302-304, 317)

292. NON-HIGH SCHOOL FUND, 1917--. 1 v.

Record of receipts and expenditures of the non-high school fund, showing dates, items of receipts and expenditures, from whom received, to whom paid, amount, and balance available. Arr. chron. No index. Hdw. under pr. hdgs. 175 p. 14 x 9 x 1. Treas.'s off., 1st fl.

293. INSTITUTE AND NON-HIGH SCHOOL ACCOUNT, 1925--. 1 v. (1). 1861-1924 in County Treasurer's Cash Book, entry 289.

List of non-high school and institute orders countersigned, showing date, order number, to whom payable, and amount and date paid. Arr. by order no. No index. Hdw. under pr. hdgs. 203 p. 15 x 11 x 1. Treas.'s off., 1st fl.

Trust

294. TRUST FUNDS ACCOUNT, 1904--. 3 v. (1-3). 1848-1903 in County Treasurer's Cash Book, entry 289.

Ledger of trust funds, showing date, from whom received, to whom paid, check number, amount, and balance. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 296 p. 17 x 15 x 1½. Treas.'s off., 1st fl.

Highway (See also entries 2, 6, 320-329)

295. MOTOR FUEL TAX LEDGER, 1928--. 7 bdl., 1 v.

Ledger of motor fuel tax, public works administration, and emergency relief funds, showing date, items of receipts and expenditures, outside source receipts, warrant number, to whom paid, amount, and balance on hand. Arr. chron. No index. Hdw. under pr. hdgs. 350 p. 8 x 11 x 1 - 9 x 12 x 2. 7 bdl., 1928-35, northeast strm., bsmt.; 1 v., 1936--, treas.'s off., 1st fl.

296. STATE AID ROAD FUND ACCOUNT, 1915-26. 1 v. No prior records. Discontinued.

Treasurer's account of money spent on county highway, state aid roads, and other road improvements, showing kind of improvement, amount spent for each, date paid, and remarks. Arr. by road and highway no. No index. Hdw. under pr. hdgs. 159 p. 17 x 14 x 1. Northeast strm., bsmt.



Treasurer - County Orders  
Checks

(297-301)

Dog License (See also  
entries 28, 86)

297. SHEEP CLAIMS, 1897--. 2 f.b.  
Notarized sheep claims paid from dog license fund, showing names of claimant and appraiser, date, number of sheep killed, amount claimed, appraised value, and certification by township supervisor. Arr. chron. No index. Hdw. on pr. fm. 9 x 5 x 18. Treas.'s off., 1st fl.

Inheritance Tax (See also  
entry 203)

298. INHERITANCE TAX ACCOUNT, 1911--. 3 v. (1-3). Prior records cannot be located.  
Inheritance tax accounts showing date, items of debits and credits, folio and check numbers, and balance. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 300 p. 17 x 15 x 1 $\frac{1}{2}$ . Treas.'s off., 1st fl.

County Orders  
(See also entries 5-12)

299. REGISTER OF COUNTY ORDERS COUNTERSIGNED, 1853--. 8 v. (2 not numbered, B-G).  
Register of all county orders countersigned, showing date, order number, to whom paid, amount, and date of cancellation. Arr. by order no. No index. 1853-63, hdw.; 1864--, hdw. under pr. hdgs. 400 p. 16 x 11 x 2. 1 v. not lettered, 1853-63, west strm., 4th fl.; 1 v. not lettered, B-E, 1864-1926, northeast strm., bsmt.; v. F, G, 1927--, treas.'s off., 1st fl.

300. REGISTER OF COUNTY HIGHWAY ORDERS, 1922--. 5 bdl., 1 v. Prior records cannot be located.  
Register of county highway orders, showing order number, to whom issued, amount, and dates of payment and cancellation. Arr. by order no. No index. Hdw. under pr. hdgs. Bdl. 17 x 11 x 1; v. 200 p. 18 x 12 x 1. 5 bdl., 1922-35, northeast strm., bsmt.; 1 v., 1936--, treas.'s off., 1st fl.

Checks  
(See also entry 12)

301. CANCELLED VOUCHERS (Checks), 1911--. 6 f.b. Prior records destroyed.  
Cancelled checks showing check number, date, to whom payable, amount, and from what fund. Arr. by check no. No index. Hdw. on pr. fm. 8 x 3 x 9. 5 f.b., 1911-34, southeast strm., bsmt.; 1 f.b., 1935--, treas.'s off., 1st fl.



#### XIV. SUPERINTENDENT OF SCHOOLS

The first school official in Knox County was the county school commissioner.<sup>1</sup> The principal duties of this officer, an appointee of the county commissioners' court, centered around the sale of school lands. His reports of these sales were made to the county commissioners' court and recorded by their clerk in a well-bound book kept for that purpose.<sup>2</sup> The school commissioner also reported to the commissioners' court on his other transactions in regard to the school fund.<sup>3</sup> His office became elective in 1841.<sup>4</sup> In 1845 the office of county superintendent of schools was created as an ex-officio office of the county school commissioner.<sup>5</sup> For his ex-officio duties as superintendent of schools, the commissioner received additional compensation for the days actually engaged in the performance of these duties.<sup>6</sup> Beginning with the year 1847, the school commissioner was elected for a two-year term.<sup>7</sup> In 1865 the office of county superintendent of schools was established as an independent office, and had delegated to it the authority formerly vested in the county school commissioner.<sup>8</sup>

The superintendent of schools is a statutory office, now elective for a term of four years.<sup>9</sup> The superintendent's office serves as the central school administrative agency for the county. One or more of the several congressional townships comprise the several school districts. Within these administrative units are elected boards of trustees who have executive and financial responsibilities which come under the supervision of the county superintendent.<sup>10</sup> The boards of trustees appoint their own treasurers who also act as clerks of the township (or school district) boards.<sup>11</sup>

The superintendent makes quarterly and annual reports to the county board and also reports to the state superintendent of public instruction, the state department of public health, the state fire marshal, and the state architect. His original duties are:

1. Selling township fund lands and issuing certificates therefor.

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1. R.L.1829, p. 150,151.
  2. R.L.1829, p. 152,153; L.1849, p. 155,156,159,160; L.1851, p. 130.
  3. L.1851, p. 175.
  4. L.1841, p. 261,262.
  5. L.1845, p. 54.
  6. L.1849, p. 178; L.1867, p. 161
  7. L.1847, p. 120; L.1849, p. 154,155.
  8. L.1865, p. 112; L.1871-72, p. 702; L.1889, p. 312; L.1909, p. 342.
  9. L.1872, p. 702; L.1909, p. 342; L.1915, p. 628; L.1923, p. 596.
  10. L.1847, p. 126; L.1909, p. 350; L.1929, p. 745.
  11. L.1927, p. 843; L.1929, p. 745.





2. Examining the complete accounts of every township treasurer in his county and reporting irregularities of the township trustees.
3. Conducting a teachers' institute, holding quarterly examinations for teachers' certificates, and issuing such.
4. Holding examinations for normal and university scholarships.
5. Visiting the public schools in the county, observing methods of instruction, making recommendations to teachers, advising school officers; observing sanitary and safety conditions, notifying trustees and state authorities of unsatisfactory conditions; inspecting plans and specifications, and approving those meeting state regulations.<sup>1</sup>

A noteworthy undertaking of the superintendent of schools is the annual teachers' institute. Pioneer legislation of 1869 provided that the school directors were to allow school teachers to attend the teachers' institute in their county without the loss of time or pay.<sup>2</sup> Twenty years later, the superintendent of schools was required to hold the institute annually.<sup>3</sup> A fund was set up for this purpose which has continued to be made up of the fees received from applicants for teachers' certificates and from teachers' registration. The fund is paid out only on the order of the superintendent to defray the expenses of the annual institute. When the fund exceeds the annual cost, it may be paid out for special meetings of teachers.<sup>4</sup>

Accounts of School Funds  
(See also entries 292, 293, 317)

302. LEDGER ACCOUNTS (Institute and Distributive Funds), 1901--.  
2 v.

Ledger account record of institute and distributive funds, showing date, receipts and expenditures, from whom received, to whom paid, and balances. Also contains Record of Teachers' Pension Fund, 1901-13, entry 303. Arr. chron. No index. Hdw. under pr. hdgs. 400 p. 17 x 11 x 2. Private off. of supt. of sch., 3rd fl.

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1. R.S.1845, p. 498; L.1847, p. 122; L.1849, p. 156; L.1853, p. 246,247; L.1855, p. 66,67; L.1861, p. 190,191; L.1865, p. 119,120; L.1909, p. 343-52; L.1915, p. 635.
  2. L.1869, p. 394; L.1887, p. 297; L.1889, p. 312; L.1909, p. 342.
  3. L.1889, p. 312.
  4. L.1905, p. 386; L.1931, p. 876.



303. RECORD OF TEACHERS' PENSION FUND, 1914--. 3 v. 1901-13 in Ledger Accounts (Institute and Distributive Funds), entry 302. Teachers' pension fund record showing name and address of teacher, compulsory or contributory, previous contributions, school year, salary, deductions, amount, and date of resignation. Arr. alph. by name of teacher. No index. Hdw. under pr. hdgs. 600 p. 9 x 12 x 3. Off. of supt. of sch., 3rd fl.

304. (NON-HIGH SCHOOL FUND RECORD), 1917--. 1 v. Record of non-high school fund and proceedings of the non-high school board, showing receipts and expenditures, from whom received, to whom paid, date, amount, purpose, balance on hand, names of board members, and minutes of meetings. Arr. chron. No index. Hdw. under pr. hdgs. 200 p. 12 x 9 x 1 $\frac{1}{2}$ . Off. of supt. of sch., 3rd fl.

#### Sale of School Lands

305. SCHOOL COMMISSIONER'S REPORT, 1832-57. 1 bdl. Discontinued. School commissioner's reports of sales of school lands, showing names of commissioners, purchaser, and sureties, date of petition, dates and amounts of bond and sale, and amounts of commissioner's receipts and expenditures. Arr. chron. Hdw. on pr. fm. 4 x 2 $\frac{1}{2}$  x 8 $\frac{1}{2}$ . Clock tower rm., 4th fl.

#### District Records (See also entry 21)

306. TOWNSHIP TREASURERS' BONDS, 1884--. 3 f.b. Township school treasurers' bonds showing names of principal and sureties, date, amount, and obligations of bond, school trustees' approval, notarial acknowledgment, and date of filing. Arr. chron. No index. Hdw. on pr. fm. 12 x 4 x 24. Off. of supt. of sch., center rm., 3rd fl.

307. RECORD OF DISTRICT ORGANIZATION AND BOUNDARY CHANGES, 1889--. 1 v. Record of establishment of community high schools and proceedings to change school district boundaries, showing date and proceedings of meetings, names of school districts and board members, petitions to change boundaries, and dates and results of elections. Arr. chron. Indexed alph. by name of school district. Hdw. 432 p. 18 x 12 x 2 $\frac{1}{2}$ . Off. of supt. of sch., 3rd fl.

308. CLAIMS FOR STATE AID, 1925--. 4 bdl., 1 f.d. Prior records cannot be located. School district claims for state aid, showing school district number, value of school property, tax rate, number of class rooms of full time teachers, number of pupils, basis for computing quota, general apportionment, amount claimed, oath of the clerk of the school board, notarial acknowledgment, and date of filing. Arr. chron. No index. Hdw. on pr. fm. Bdl. 2 x 8 x 14; f.d. 12 x 16 x 24. Off. of supt. of sch., 3rd fl.



### Teachers' Records

#### 309. RECORD OF TEACHERS' EXAMINATION, 1898--. 6 v. (1, A-E).

Record of examinations of applicants for teachers' certificates, showing name, address, age, and nativity of teacher, years taught, grades of subjects, final average, date and grade of certificate, and remarks. Arr. chron. Indexed alph. by name of teacher. Hdw. under pr. hdgs. 600 p. 20 x 19 x 3. Off. of supt. of sch., 3rd fl.

#### 310. TEACHERS' PERMANENT RECORD, 1914--. 2 f.b.

Teachers' permanent record showing name and address of teacher, name and address of schools attended, dates of attendance, degrees, date of birth, type and date of certificate, date of registration or renewal, teaching and pension record, school district number, and salary. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. 7 x 9 x 18. Off. of supt. of sch., 3rd fl.

311. PROCEEDINGS OF TEACHERS' INSTITUTE, 1861-95. 1 v. Discontinued. Minutes of institute meetings, programs, and discussion of subjects to be studied, showing names of teachers present, date of meeting, and signature of superintendent; also contains newspaper clippings of notices and programs pasted on pages. Arr. chron. No index. Printed and hdw. 300 p. 9 $\frac{1}{2}$  x 7 $\frac{1}{2}$  x 1 $\frac{1}{2}$ . Off. of supt. of sch., 3rd fl.

#### 312. HISTORY OF KNOX COUNTY TEACHERS' LIBRARY, 1875-83. 1 v.

Discontinued.

History of teachers' library, showing minutes of meetings, appointment of committees, donations, date, and name of donor, list of books purchased, and repairs made to building. The library was organized in 1875 and disbanded in 1883. Arr. chron. No index. Hdw. 300 p. 7 $\frac{1}{2}$  x 9 $\frac{1}{2}$  x 1 $\frac{1}{2}$ . Off. of supt. of sch., 3rd fl.

### Pupil Records

#### 313. FINAL EXAMINATION 7TH AND 8TH GRADE, 1909--. 9 v.

Examination records showing name and age of pupil, school district, grades received for various subjects, and final average. Arr. chron. No index. Hdw. under pr. hdgs. 500 p. 12 x 9 x 2 $\frac{1}{2}$ . Off. of supt. of sch., center rm., 3rd fl.

### Reports

#### 314. TOWNSHIP TRUSTEES' REPORT, 1883--. 6 f.b.

Township school trustees' annual reports to superintendent of schools, showing names of trustees and teachers, number of school district, general and financial statistics, balance sheet, and date of report. Arr. chron. No index. Hdw. on pr. fm. 12 x 5 x 24. Off. of supt. of sch., center rm., 3rd fl.

#### 315. TEACHERS' PENSION REPORTS, 1916--. 3 f.b.

Reports of superintendent of schools by clerk of school board on teachers' pension and retirement fund, showing district number, name of teacher, teaching experience, salary, amount withheld, and dates of report and filing. Arr. chron. No index. Hdw. on pr. fm. 12 x 5 x 24. Off. of supt. of sch., center rm., 3rd fl.



Superintendent of Schools -  
Maps and Plats; Receipts and  
Expenditures

(316-319)

316. TEACHERS' ANNUAL REPORTS, 1924--. 7 bdl. Prior records cannot be located.

Teachers' annual reports to superintendent of schools, showing names of school and teachers, district numbers, number of pupils, average daily attendance, qualifications of teachers, salary paid, amounts contributed to pension fund, number of volumes in school library, and date of report. Arr. chron. No index. Hdw on pr. fm. 1 x 8 x 14. Off. of supt. of sch., center rm., 3rd fl.

317. ANNUAL REPORTS OF THE COUNTY SUPERINTENDENT OF SCHOOLS, 1884--.  
54 v.

Copies of annual reports of superintendent of schools to county board, covering public school census with dates of terms, enrollments, attendance, promotions, and number of tuition pupils, and administrative positions held; status of school libraries, activities for promotion of health and attendance, list of high schools, and of schools employing two or more teachers, number of teachers' certificates issued, and number of state certificates registered; financial reports including amount of tax levies, outstanding bonds, receipts and expenditures of district institutes, statements of building and township distributive funds, superintendent's distributive funds, superintendent's distributive fund, and township loanable fund, special accounts of funds due, treasurer's statement of distribution and amount of bond issued, and financial statistics of high schools; real estate changes affecting school districts; and special statistics on private schools, public school kindergartens, evening schools, and educational facilities for the blind, deaf-mutes, and crippled and delinquent children. Arr. chron. No index. Hdw. on pr. fm. 40 p. 16 x 12 x  $\frac{1}{2}$ . Off. of supt. of sch., 3rd fl.

Maps and Plats  
(See also entries 98-100)

318. SCHOOL PLAT RECORD, 1875--. 2 v.

Plats of school districts, as certified by the board of trustees, showing outlines of boundaries, district number, names of school districts and townships, and minutes of the board of trustees. Arr. chron. Indexed alph. by name of twp. Hdw. and hand-drawn. 325 p. 18 x 15 x  $1\frac{1}{2}$ . Co. clk.'s off. annex, 1st fl.

Receipts and Expenditures

319. CASH BOOK, 1901--. 2 v. Prior records cannot be located.

Record of distributive and permanent funds, showing apportionment for elementary and high schools, date, amounts received and expended, and balance available. Arr. chron. No index. 1901-33, hdw.; 1934--, hdw. under pr. hdgs. 200 - 400 p.  $11\frac{1}{2}$  x 18 x 1 - 16 x 10 x 2. Off. of supt. of sch., 3rd fl.





#### XV. SUPERINTENDENT OF HIGHWAYS

The office of superintendent of highways was first established in 1913 in accordance with the legislation of that year.<sup>1</sup> Prior to that date the township boards of highway commissioners effected essentially those duties since delegated to the authority of the county superintendent of highways.<sup>2</sup> The township boards have continued in existence, but their powers are principally subordinated to those of the superintendent of highways.

The superintendent is appointed by the county board. The board submits a list of three to five candidates to the state department of public works and buildings, which department examines the candidates to determine the person best fitted for the office.<sup>3</sup> The successful candidate holds office for six years and is remunerated in a sum fixed by the county board.

The powers and duties of the superintendent of highways come under the rules and regulations of the department of public works and buildings. The superintendent is, however, subject, upon hearing, to removal by the county board, and is required to perform such duties as may be prescribed under the direction of the chief highway engineer of the state.<sup>4</sup> The superintendent exercises supervision over township, county, and state-aid roads, and bridges and culverts in his county.

His principal duties are:

1. Preparing plans, specifications, and estimates for all bridges to be built by the county.
2. Supervising the construction and maintenance of county roads and bridges, and state-aid roads.
3. Inspecting the highways and bridges in each town or district of his county at least once a year.
4. Advising and directing the highway commissioners in each town or district as to the best methods of repair, maintenance, and improvement of highways and bridges.
5. Approving any purchase in excess of \$200 for materials, machinery, or apparatus to be used in road construction in any town or district.<sup>5</sup>

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1. L.1913, p. 521.

2. L.1849, p. 212.

3. Between the years 1913 and 1921 the list of prospective candidates was required to be submitted to the state highway commission. L.1913, p. 524; L.1921, p. 781; L.1933, p. 960.

4. L.1921, p. 781; L.1933, p. 960.

5. L.1913, p. 523-26.



He is required to keep the following records:

1. Records of contracts, purchases, and expenditures authorized by himself, the county board, or township commissions.
2. Maps, plats, blueprints, specifications, etc., arising in his supervision of roads and bridges, or the planning of new construction.
3. Accounts of the funds handled by his office.
4. Reports from other officers or bodies touching upon the affairs of his office; copies of his own reports on the administration of his office; related papers.<sup>1</sup>

Unless otherwise specified, all records of this office are kept in the office of the superintendent of highways, on the first floor of the Superintendent of Highways Office Building, Grand Avenue.

#### Construction and Maintenance Records

320. FLEET OWNERS' MONTHLY CASH RECORD, 1927--. 1 bdl. (1927-31), 2 v. (1932--). Title varies: Miscellaneous Accounts. Fleet owners' accounts showing date, schedule, and distance, fuel and operating costs, total direct cost, kind of work, name of operator, and totals. Arr. chron. No index. 1927-31, hdw. and typed on pr. fm.; 1932--, hdw. under pr. hdgs. Bdl. 9 x 4 x 4; v. 175 p. 14 x 11 x 1.

321. CONTRACTS, 1928--. 2 f.d. Contracts for the construction of state aid-roads, showing names of superintendent and contractor, location of project, specifications, materials to be used, date, amount, and terms of contract. Arr. chron. No index. Hdw., hdw. on pr. fm., and typed. 9 x 12 x 24.

322. LABOR REPORTS AND TIME SHEETS, 1926--. 12 v. Prior records cannot be located. Record of time and labor costs, showing date, name of laborer, number of hours and days worked, total hours, loads and cubic yards, rate, engineering costs of plans and field work, and total amount paid. Arr. chron. No index. Hdw. 100 p. 17 x 14 x  $\frac{1}{2}$ .

323. TOWNSHIP LABOR ACCOUNTS, 1932. 1 v. Subsequent records kept by each township. Record of labor and costs in the various townships, showing date, name of laborer, amounts paid for labor, grading, maintenance, drainage, bridges, culverts, fences, gravel spread, and survey. Arr. alph. by name of twp. No index. Hdw. 75 p. 9 x 12 x  $\frac{1}{2}$ .

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1. L.1913, p. 525,526.



Superintendent of Highways -  
Allotments and Claims; Receipts  
and Expenditures

(324-330)

Allotments and Claims  
(See also entries 2, 6)

324. MOTOR FUEL TAX ALLOTMENTS, 1932---. 1 envelope.

State allotments from gas tax funds, showing date, name of county, and amount of allotment. Arr. chron. No index. Typed on pr. fm. 9 x 15 x  $\frac{1}{2}$ .

325. CLAIMS, 1938. 1 f.d.

Claims against the county highway department, to be allowed by the board of supervisors, showing name of claimant, date, amount, purpose of claim, and certification by superintendent of highways. Arr. alph. by name of claimant. No index. Hdw. and typed on pr. fm. 9 x 9 x 14.

326. MOTOR FUEL TAX CLAIMS, 1933---. 1 v.

Claims against motor fuel tax fund, showing date, route and section numbers, name of claimant, nature of claim, and amounts paid and available. Arr. by route and section no. No index. Hdw. under pr. hdgs. 200 p. 14 x 12 x 1.

Receipts and Expenditures  
(See also entries 295, 296)

327. ACCOUNTS RECEIVABLE AND PAYABLE, 1929---. 9 v.

Ledger of road fund accounts receivable and payable, showing name of account, dates, items of account, amount of invoice, credits, and balance. Also contains Cash Book, 1929-32, entry 328. Arr. alph. by name of account. No index. Hdw. under pr. hdgs. 100 p. 11 x 14 x 1.

328. CASH BOOK, 1933---. 1 v. 1929-32 in Accounts Receivable and Payable, entry 327.

Cash account of road funds, showing date, items of receipts and expenditures, amounts of orders issued, appropriations, outside source receipts, and balance. Arr. by name of account. No index. Hdw. under pr. hdgs. 200 p. 10 x 13 x 1.

329. HIGHWAY MAINTENANCE ACCOUNT, 1933---. 5 v.

Maintenance account records showing route number, name of account, itemized costs for labor, materials, trucks, shovel, and crusher, total amount paid, and balance available. Arr. by route no. No index. Hdw. under pr. hdgs. 100 p. 11 x 17 x 1.

330. PLATS OF STATE AID ROADS AND P.W.A. ROADS IN KNOX COUNTY, 1932---. 35 rolls, 535 sheets.

Construction plats of roads in Knox County, showing right of way with names of adjacent land owners, courses, markers, angles, culverts, fills, cuts, bridges, creeks, and route and section numbers. Authors, O. W. Georlich and E. R. Johnson, Surveyors, Galesburg, Illinois. Hand-drawn. 1 in. to 100 ft.;  $1\frac{1}{2}$  in. to 1 mi. 20 x 32. Draftsmen's off., 2nd fl., Supt. of Hwys. Off. Bldg., Grand Avenue.



## XVI. SURVEYOR

The office of surveyor was first established in Illinois in 1819, the incumbent having been an appointee of the General Assembly.<sup>1</sup> In vacation, nominations were made by the county commissioners' court (county board) to the Governor.<sup>2</sup> From 1835 to 1936, the county surveyor was an elected officer of the county electorate.<sup>3</sup> Since September 1936, he has been an appointee of the county board.<sup>4</sup> His appointment is for a four-year term. Thus, in Knox County, the surveyor was first an appointee of the General Assembly; second, for little over a century he was elected; and, finally, under recent legislation, an appointee of the county board. He takes and subscribes to an oath which is filed in the county clerk's office.

The surveyor is required by law to make all surveys within the bounds of his county that he may be called upon to make by the county board or interested persons. Such surveys include surveys of lands of persons requesting the same, of additions or subdivisions, and marking of county lines. Few changes have been made in the original statutory requirements for the duties of this office. The surveyor may appoint one or more deputies. Any individual requesting a survey must employ his own chainmen subject to the approval of the surveyor.

The surveyor is required by law to keep a well-bound book in which he records all surveys made by him, giving such information as the names of the persons whose land is surveyed and descriptive data of the survey. This record is required to be kept by the surveyor in the recorder's office. The surveyor also preserves his field notes and retains copies of plats.<sup>5</sup>

### 331. SURVEYOR'S RECORD, 1831--. 1 v. (4).

Record of surveys, showing names of townships, owner, and surveyor, and description of land surveyed. Arr. alph. by name of twp. No index. Hdw. and hand-drawn. 600 p. 18 x 12 x 3½. Cir. clk.'s record rm., 1st fl.

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1. L.1819, p. 62; L.1821, p. 62; R.L.1829, p. 172; R.L.1833, p. 591.

2. Ibid.

3. L.1835, p. 166; L.1837, p. 558; R.S.1845, p. 524; R.S.1874, p. 456, 1050; L.1903, p. 349.

4. L.1933, p. 1104 (to be effective in 1936).

5. L.1821, p. 634; R.L.1829, p. 173; R.L.1833, p. 582, 599, 600; L.1845, p. 201; R.S.1845, p. 524; R.S.1874, p. 1050; L.1885, p. 248; L.1916, p. 575; L.1933, p. 1104; R.L.1935, p. 2416.





## XVII. DEPARTMENT OF PUBLIC WELFARE

Matters relating to public assistance and welfare in the county are handled by the department of public welfare, which was established in 1937 as successor to the county commission of public welfare, and its executive appointee the county superintendent of public welfare.<sup>1</sup> This department consists of the superintendent of public welfare and a staff selected by him in accordance with, and subject to, the approval of the state department of public welfare.

The county board submits to the said state department a list of five residents as candidates for the office of superintendents. An eligible list of these candidates is prepared by the state department by competitive examination and certified to the county board. The board in turn makes an order appointing one of the eligibles as superintendent of public welfare.<sup>2</sup>

The superintendent is charged with all the executive and administrative duties and responsibilities of the department of public welfare. He is subject to the rules and regulations of, and removal by the state agency.<sup>3</sup>

This officer has power and it is his duty:

1. To have charge and develop plans for the administration of old age assistance.
2. To investigate and study problems of assistance, correction, and general welfare within his county.
3. To cooperate with the state department of public welfare in the operation of welfare plans and policies in his county.
4. To maintain such records in the manner prescribed by the state department and file with the said agency all required reports.
5. To serve as agent and executive officer of the state department of public welfare in the administration of all forms of public assistance administered by the said department.<sup>4</sup>

All the records of the county department are subject to the inspection and supervision of the agents of this central authority.

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1. L.1935-36, First Sp. Sess., p. 70-73; L.1937, p. 451
  2. L.1937, p. 451, 452.
  3. L.1937, p. 452.
  4. L.1935-36, First Sp. Sess., p. 72; L.1937, p. 452.



The department of Public welfare also serves as the county department for the administration of old age assistance and is subject to the rules and regulations of the state department.<sup>1</sup> Upon receipt of an application the department makes an investigation of the case. In the course of the investigation the department is allowed to hold hearings and compel the attendance of witnesses and the production of papers and books.<sup>2</sup>

The county department for old age assistance keeps such records and accounts as are prescribed by the state department. All applications and records in these matters are considered public records.<sup>3</sup>

All records of this department are kept in the old age assistance office, on the third floor of the county courthouse.

332. CASE RECORDS, 1936--. 10 f.b.

Old age assistance applications and awards, showing name, address, and age of applicant, date, living expenses, financial status, physical condition, and amount of insurance carried and property owned. Arr. by case no. Typed on pr. fm. 9 x 5 x 13.

333. INDEX TO CASE RECORDS (Old Age Assistance), 1936--. 3 f.b.

Card indexes to case records, showing name of applicant, address, and case number. Arr. alph. by name of applicant. Typed. 4 x 5 x 12.

334. INVESTIGATORS' CASE LOAD AND STATISTICAL RECORD, 1936--. 3 f.b.

No prior records.

Investigators' card file showing name of applicant, address, sex, date of birth, marital status of applicant, other aid, and approval. Arr. by case no. No index. Typed. 4 x 5 x 12.

335. CORRESPONDENCE, 1936--. 2 f.b.

Correspondence to and from state office relating to the operations of the old age assistance office. Arr. chron. No index. Typed. 9 x 5 x 13.

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1. L.1935, p. 259; L.1935-36, First Sp. Sess., p. 54; L.1937, p. 265.  
2. L.1935-36, First Sp. Sess., p. 57-59; L.1937, p. 267, 268.  
3. L.1937, p. 268.



### XVIII. COUNTY HOME AND HOSPITAL

One phase of public assistance is administered by the county home. All county poorhouses, poor farms and institutions for the support and care of indigents in Illinois are known as county homes.<sup>1</sup> County poorhouses and farms have existed in this state under statutory provisions for nearly a century. The legislation creating these county establishments for the indigent has changed little since the original enactments. The county boards of the various counties may establish a county home, and are granted the following powers:

1. To acquire by purchase, grant, gift or devise, a suitable tract or tracts upon which to erect and maintain a county poorhouse and other necessary buildings, and for the establishment and maintenance of a farm for the employment of the poor.
2. To receive gifts and bequests to aid in the erection and maintenance of the poorhouse, or in the care of the indigents.
3. To make rules or regulations for same.
4. To appoint a keeper of the poorhouse and all necessary agents and servants for the management and control of the poorhouse and farm and prescribe their compensation and duties.
5. To appoint a county physician and prescribe his compensation and duties.
6. To appoint an agent to have the general supervision and charge of all matters in relation to the care and support of the poor and prescribe his compensation and duties.
7. To make the necessary appropriations for the erection and maintenance of the county home.<sup>2</sup>

Records of the county home are prepared and kept by the keeper (superintendent) of the said home. He is required to keep an account, showing the name of each person admitted to the county poorhouse; the time of his admission and discharge; the place of his birth; whether his dependence resulted from idiocy, lunacy, intemperance, or other causes, stating the

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1. L.1919, p. 699; L.1935, p. 1058.

2. L.1839, p. 139; R.S.1845, p. 404; L.1861, p. 180; R.S.1874, p. 757; L.1917, p. 638; L.1919, p. 698; L.1935, p. 1057, 1058.



cause; and is required, at the same time each year, to file with the county clerk of his county a copy of the same, together with a statement showing the average number of persons kept in the poorhouse each month during the year.<sup>1</sup>

All records of the county home and hospital are kept in the office of the superintendent, on the first floor.

336. ENTRY BLANKS, 1859--. 1 bdl.

Entry record showing name of patient, sex, age, color, occupation, birthplace, residence, by whom sent, and remarks. Arr. chron. No index. Hdw. on pr. fm. 10 x 8 x 10.

337. ALMSHOUSE REGISTER, 1859--. 2 v. Missing: 1922-29.

Register of paupers, showing name, sex, age, color, occupation, birthplace, parentage, residence, education, health, and habits of patient, dates of admission and discharge, by whom sent, supposed cause of pauperism, and remarks. Arr. chron. Indexed alph. by name of patient. Hdw. under pr. hdgs. 272 p. 17 x 15 x 1½.

338. ACCOUNT BOOK, 1931--. 1 v.

Record of accounts with townships, showing names of township and patient, date admitted, from whom order was received, amount due, total amount due, and date of entry. Arr. chron. Indexed alph. by name of twp. Hdw. under pr. hdgs. 200 p. 10 x 14 x 1.

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1. R.S.1874, p. 758.





## APPENDIX

- A. (ACTION OF COUNTY BOARD ON THE RESULTS OF THE ELECTION OF APRIL 6, 1869, ON REMOVAL OF THE COUNTY SEAT OF KNOX COUNTY FROM KNOXVILLE TO GALESBURG), May 10-11, 1869.  
In Supervisors' Record, entry 2: v. B, p. 458-76.

Resolution adopted, May 10th, that five members of the Board be appointed a committee to investigate the result of the election on the removal of the county seat and report at this meeting. Supervisors Lanphere (city of Galesburg), Sanford (Knox twp.), Lawrence (Elba twp.), Sisson (Henderson twp.), and Gross (Lynn twp.) appointed.

Objections by supervisors: Mr. Sumner wished to be excused because he thought the Board had no power to appoint such a committee. Mr. Charles wished to be excused for similar reasons. Mr. Swigart refused to vote because the Board had no power to canvass the vote or delegate such power to a committee: that the action was entirely without authority of law and he would not vote unless some law or precedent could be produced; that he was always ready to vote one way or another on any question that might arise, where the Board had a legal right to act, but on this question he would not vote nor did he want to be excused. Mr. Dossett wished to be excused for reasons given by others, and Mr. Lawrence and Mr. Wilson were excused for similar reasons.

Mr. Lanphere from special committee appointed yesterday (May 10th) made the following report:

"To the Honorable Board of Supervisors of Knox County:

"Your committee appointed to investigate and ascertain the result of the election on the removal of the county seat, beg leave respectfully to report, That they have given to the subject such consideration as the limited time at their disposal was permitted:

"They find that the law providing for the removal of the county seat, makes no provision for officially determining the result of the election beyond the simple canvass of the returns made by the several Boards of election, this canvass to be made by the County Clerk and two justices of the peace.

"The law makes no provision for the issue of any certificate by the clerk and it seems to be admitted on all hands in accordance with the doctrine in the case reported in 20th Illinois that even if such a certificate had been provided for it would not be entitled to be regarded as evidence. The Board of Supervisors being absolutely required to perform certain duties if the result of the vote has been for removal, and having other important duties to perform if the result be against removal, and as either by the design or imperfection of the law, no person has been appointed to determine the result, they are, of necessity put upon their inquiry.



Appendix

"The most available evidence in the reach of the committee are the returns of the Boards of Election, in the absence of anything to contradict the certificates of the Boards of Election, your committee believe they may properly be taken as prima facie evidence.

"These returns show in the aggregate a majority of 247 against removal, your committee however on examining these returns find disclosed the startling fact that the town of Knox returns 1520 votes all but 17 against removal, a number more than 3 times the usual vote of that town, about  $3\frac{1}{2}$  times as great as was cast by the same town 4 years before on the same question. A number about  $2\frac{1}{2}$  times as great as the number of white males over 20 years of age, residing in that town less than 4 years before, as appears by the census returns.

"The committee believe from their own knowledge of the town, and from the general opinion, as they hear it expressed, that the growth of the town of Knox during the 4 years last past, has been far from rapid. They can but regard such a return as so manifestly false, on the face of it, as to entitle it to very little consideration in arriving at the number of votes actually cast in that town. Your committee are also in possession of affidavits of persons of entire respectability, which affidavits your committee beg leave to submit as part of this report, showing that the election in the town of Knox was conducted not only without any regard to the usual forms of election, and without the usual safeguards against illegal and fraudulent voting, but was evidently intended and arranged for a fraud from the outset.

"Taking into account, first, the absolutely incredible character of the returns from the town of Knox and the gross character of the frauds openly practiced, as appears from the affidavits referred to, the committee are of the opinion that the returns from the town of Knox should be entirely set aside as affording no evidence whatever of the number of legal votes actually cast in that town.

"What the number of legal voters actually were, or how cast, your committee can only ascertain by instituting inquiries which would consume very much more time than has been put at their disposal.

"They are disposed in the absence of other data to take the vote of last November as a basis, the vote at that time being 639, a number a little greater than was returned by Mr. McGowan who took the census  $3\frac{1}{2}$  years before the April election, as the number of white males in that town 20 years of age.

"Your committee think that a number equal to the number of white males in their 21st year, added to the number of alien white males over 20, to the number of short residents and the number of those who



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are kept from the polls by absence from home, sickness, indifference to the result and other causes, is a very large allowance for the growth of the voting population of the town of Knox for that period. They are also in possession of testimony, that at the November election the feeling ran high, extraordinary efforts were made to get out voters, and many persons not legal voters were allowed to vote. Deducting from the returns the excess returned in April over the number returned in November from the town of Knox, which is 881 and the majority of 247 against removal is converted into a majority of 634 for removal.

"In all the towns giving majorities for removal, with one exception, we find a large vote given against removal. Enough perhaps to guard reasonably well the purity of the polls. From none of these towns has any complaint come to the knowledge of your committee.

"In most of the towns giving majorities against removal the adverse vote was small and the opportunity and temptation to illegal voting had not the usual check of a vigilant opposition, with one exception these towns cast less votes than were cast in the same towns last November. The exception is the Town of Orange, which cast 18 votes in excess of the votes cast in November. All the votes in the town but 5 being against removal. We are assured on the authority of persons of the highest respectability, living in that town, that many voters stayed at home on the day of the April election, and that many illegal votes were cast. We are informed that one of the oldest and best known residents of that town, who voted against removal estimated the fraudulent in Orange at 50. Your committee have not had the opportunity to investigate the true state of facts existing in that town or others. They are however, clearly of the opinion that a thorough investigation of the 19 towns and a purging of the polls would so far as it affected the result at all, increase to some extent the majority for removal.

"Admitting (an admission favorable to the vote against removal, as we think) that the legal vote cast in Knox was 639, that the returns from the 19 other towns were correct, there remains a majority of 634 for removal. If from this be deducted as some claim should be, the 90 votes cast for town and city officers, by persons who did not vote on the County Seat Question, the majority is still 544. This majority can only be overcome by supposing an illegal vote of the amount was cast in the City of Galesburg, of this no evidence has been produced. That in a community where the public sentiment was so unequivocally one-sided there was unusual temptations and opportunities for fraudulent voting, is true, and it is also true that the vote in April exceeded the vote of November, 714. But on the other hand the following facts are unquestionably true; first, the elections in Galesburg in April were conducted with full regard to the usual forms. The voters were all duly registered and no person allowed to vote unless his name was on the register, except by swearing in his vote, and making the legal proof of his right. The election was public and open, the number of votes cast at all times during the day being known to the bystanders,



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by whom the Judges, clerks and voters could be distinctly seen; second, all the city officers and justices and constables were elected at the same time, as many votes being cast for these officers as the county seat, the election was sharply contested by rival candidates, each having an interest in preventing the frauds attempted by his opponents. The votes were publically (publicly) counted and the ballots and books and papers preserved according to law. No extensive frauds could be committed except with the knowledge of many persons. It is well known that the November Election in the city of Galesburg failed to call out a full vote, local causes well understood, but on which the committee need not dwell, contributed to that result. In consequence of the extension of the railroad works in Galesburg, a much greater number of men were in the railroad employ in April than in November. The vote of the city of Galesburg, large as it is, is not very greatly in excess of what might reasonably be calculated on by comparison with other votes cast in the last 8 years, and with the census returns. Considering the very great apparent growth of the city your committee beg leave in conclusion to say that while in the short time since their appointment they have not been able to ascertain all the facts bearing upon the case, and to come to such conclusion as would enable them to say with precision what was the exact vote, they are clearly of the opinion that these returns that are entitled to every confidence, show a majority of votes for removal, and though that majority may be reduced by proving the votes actually cast, or tendered in the town of Knox, and may perhaps be further affected by a thorough purging of the polls, there is no probability that the result would be changed."

All of which is respectfully submitted.

G. Lanphere  
O. M. Gross  
H. M. Sisson

(Affidavits of voters of the Town of Knox supporting the above report of fraudulent voting in Knoxville, copied on pages 472-75). Mr. Clay moved the report of the committee be approved. Carried 14-10. Refusing to vote, 2 (p. 475). (Mr. Sumner and Mr. Charles for similar reasons refused to vote or be excused). At this time the sheriff of Knox County who had been in waiting for some time, served upon the Board of Supervisors a summons in chancery in a suit of George Davis vs The Board of Supervisors of Knox County and James J. Egan (County Clerk), James W. Temple (Circuit Clerk), and Dennis Clark (County Judge) of Knox County, Illinois (p. 476). (George Davis had been elected to the Board of Supervisors from the city of Galesburg in April 1863 but resigned September 1863. This case in chancery was commenced and disposed of in the June term, 1869. See Chancery Record, volume 9, page 455, entry 218, this inventory). Venue changed to McDonough County granted by the judge of the tenth judicial district with all acts and papers as came before the court (p. 465).





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B. (DECREE OF McDONOUGH CIRCUIT COURT, SEPTEMBER TERM 1871,  
IN CHANCERY, CHANGE OF VENUE FROM KNOX COUNTY, ILLINOIS).  
Copied as of record, January 30, 1873 in Supervisors'  
Record, entry 2: v. C, p. 168-70.

The chairman presented decree of McDonough circuit court in the  
county seat case and requested its reading by the clerk.

State of Illinois     )  
                              )     ss  
McDonough Co.         )

George Davis et al.     )  
                              )  
          vs                )     In Chancery  
                              )     Change of Venue  
Board of Supervisors    )  
of Knox County, Illinois )     from Knox County, Illinois  
et al.                    )

"This cause coming on to be heard upon the bill, answers, replications,  
pleadings and evidence and after hearing counsel for the respective parties,  
the court finds upon the evidence and adjudges and decrees that a majority  
of the legal voters of the county of Knox, did at an election held on the  
6th day of April 1869, in said county of Knox, pursuant to an act of the  
Legislature of this State, approved March 10, 1869, referred to in the  
original and amended bill, referred to in this case, vote in favor of re-  
moval of the county seat of said county from the city of Knoxville to the  
city of Galesburg in said county. That the allegations of the bill are  
true, and the said defendants, the Board of Supervisors of Knox County  
aforesaid and the clerk of said Board are hereby directed to spread the  
results of said election, and of the canvass thereof, upon the records of  
the Board of Supervisors of Knox County and state upon said record, that  
the result of said election and canvass thereof was in favor of removal of  
the county seat of said county from Knoxville to the city of Galesburg in  
said county, by a majority of two hundred votes, and said court further  
finds and decrees that the return of said election in the town of Knox,  
purporting to be made by the officers of said election therein, is il-  
legal, fraudulent, false and void, and that the result of said canvass of  
said election heretofore spread upon the records of the Board of Super-  
visors be set aside as incorrect.

"It is further ordered that the fact be stated upon said records of said  
Board, That said election resulted in favor of the removal of the County  
seat of Knox County from the city of Knoxville to the city of Galesburg  
in conformity with this decree. And it is further ordered that the Board  
of Supervisors of Knox County pay the costs of this suit, and thereupon  
the said defendants and each of them pray an appeal to the Supreme Court  
of the Central Grand Division of the State of Illinois, which is allowed,  
upon the defendants or either of them entering into bond in the penal  
sum of \$1,000.00 with security which by consent of parties is to be



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approved by the clerk within 40 days from the rendition of this decree. Said appeal bond to be continued according to law."

C. L. Higbee.

Certified to by J. N. Pearson, clerk of the circuit court of McDonough County.

Mr. Gale offered the following resolution which was adopted. Resolved that the decree of his honor Judge Higbee, rendered in the McDonough circuit court in the case of George Davis vs Board of Supervisors of Knox County et al, having been affirmed by the Supreme Court, be spread upon the records of this Board and that the clerk of this Board be directed to correct the records as ordered by the court in said decree (p. 170).

The decision of the Supreme Court (January Term 1872)<sup>1</sup> in the case of George Davis vs Board of Supervisors of Knox County et al having been made, it was, on motion of Mr. Charles, ordered that the decision of the Supreme Court in said cause be spread upon the records of this Board and be published with the proceedings thereof in pamphlet form. The Supreme Court's decision is copied on pages 173-184.

- C. (SUMMARY OF STATE SUPREME COURT RULINGS ON NATURALIZATION JURISDICTION OF THE COUNTY COURT, RESULTING FROM KNOXVILLE-GALESEBURG COUNTY SEAT CONTROVERSY), January Term 1872, June Term 1875. In Illinois Reports, v. 63, p. 405-22, and v. 77, p. 644-52.

The State Supreme Court in January 1872 upheld the McDonough Circuit Court on all points except one: the naturalization jurisdiction of the county court. The citizenship, and consequently the right to vote, of sixty-three persons of foreign birth, had been challenged on the grounds that their naturalization by the county court was in conflict with Federal laws. The act of Congress of 1802<sup>2</sup> had provided with regard to state courts, that an alien might be admitted to citizenship before a district or circuit court, or before any court of record having common law jurisdiction. The McDonough Circuit Court, on the original hearing, held that the county courts of Illinois belonged to the latter category. The Illinois Supreme Court, however,

- 
1. "Board of Supervisors of Knox County et al. vs George Davis et al.," Illinois Reports, Norman L. Freeman, reporter (Springfield, 1874), LXIII, 405-22.
  2. U.S.S. at Large, 1799-1813, p. 153,155.



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interpreted common law jurisdiction as an unlimited common law jurisdiction which county courts in Illinois did not by constitutional provision or statute possess. Therefore, it was held that the county court of Knox County did not have jurisdiction to admit the aforesaid sixty-three aliens to citizenship, and that their votes should have been rejected. But the results of the election were not substantially affected by this ruling, and the decree of the lower court was not reversed.

On this one point the Supreme Court in June 1875 reversed itself, finding that the original ruling in the case of Knox County vs Davis, so far as it held that the county courts in Illinois as organized under the Constitution of 1848 had no jurisdiction to admit aliens to citizenship, was in conflict with the weight of authority. By this new ruling the naturalization jurisdiction of county courts in Illinois, and in other states with courts of record similarly organized, was fixed until a subsequent act of Congress<sup>1</sup> changed the requirements of courts which might have cognizance of the naturalization of aliens.

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1. See Governmental Organization and Records System essay, this inventory, p. 47.



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